

DEVELOPMENT ADVISORY COMMITTEE MINUTES

The Development Advisory Committee met on Wednesday, July 18, 2012 at 9:00 a.m. in the Second Floor Conference Room, 220 South Main Street, Bel Air, Maryland. The meeting was chaired by Moe Davenport.

The following members were in attendance:

Don MacLean	Volunteer Fire and E.M.S.
Shane Grimm	Planning and Zoning
Len Walinski	Health Department
Darryl Ivins	Division of Water and Sewer
Mike Rist	DPW Engineering
Rich Zeller	State Highway Administration
Betsey Greene	Planning and Zoning
Robin Wales	Emergency Operations
Patrick Jones	Soil Conservation District
Eric Vacek	Planning and Zoning
Ronald Kauffman	Harford County Public Schools

Also in attendance were:

Marissa Gallo	The Aegis
Frank Carter, Jr.	2108 Harford Road, Fallston 21047
Robert Seward	2102 Harford Road, Fallston 21047
Jim Minardo	2206 Harford Road, Fallston 21047
Morita Bruce	507 Millwood Drive, Fallston 21047
Janet Hardy	1423 Abingdon Road, Abingdon 21009
Erica Wilson	2103 Harford road, Fallston 21047
Virginia Sauers	1913 Harford Road, Benson 21018
Mary Jo G Bowser	1916 Harford Road, Fallston 21047
Florian Svitak	1409 Calvary Road, Abingdon 21009
Evelyn Gross	1131 Clayton Road, Joppa 21085
Frank Hertsch	3445 Box Hill Corporate Drive, Abingdon 21009
Amy DiPietro	3445 Box Hill Corporate Drive, Abingdon 21009
Bill Walker	202 Orlan Road, New Hollard, PA 17557
Dan Jones	1504 Hollingsworth Road, Joppa 21085
Josh Dresher	4940 Campbell Blvd, Suite 110, Baltimore 21236
Paul Muddiman	3445 Box Hill Corporate Drive, Abingdon 21009
Alan Sweatman	826 Country club Road, Havre de Grace 21078
Robert Lynch	30 Office Street, Bel Air 21014
Michael Charlton	5074 Dorsey Hall Drive, Ellicott City 21014
Beverly Carter	2108 Harford Road, Fallston 21047
J. Butler	503 Anchor Drive, Joppa 21085
Keith Farley	409 Shore Drive, Joppa 21085
Bryan Lightner	Planning and Zoning
Tim Snyder	301 Surrey Court, Fallston 21047

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Ernest Memphis	1314 Terry Way, Fallston 21047
Dennis Reimann	107 Connolly Road, Fallston 21047
James & Barbara Hauer	1907 Harford Road, Fallston 21047
Julie Parker O'Brien	305 Blackburn Court, Joppa 21085
Ron Parker	400 Shore Drive, Joppa 21085
Tina Poth	301 Merrie Lane, Fallston 21047
Dave Williams	Fallston Community Council
John V. Mettee III	5 South main Street, Bel Air 21014
Bob Schulman	401 East Pratt Street, Balto 21202
Kevin Carney	10705 Charter Drive, Suite 450, Columbia 21044
Patti Dallam	Joppa
Charles Cremens	1940 Fawn Way, Finksburg 21048

Moe Davenport, of the Department of Planning and Zoning and also Chairman of the Development Advisory Committee, welcomed everyone to the meeting. He explained that there are six plans on the agenda. Mr. Davenport continued that a brief presentation will be given by the consultant for the project. The DAC members will give their comments on the project. The meeting will then be opened up for anyone else in attendance who may have questions or comments. If anyone has questions that were not answered, there are information request forms that can be filled out and submitted to the Department of Planning and Zoning and they will be responded to in writing. There is a circulating attendance sheet for everyone to sign. If the correct address is given, a copy of the minutes will be mailed or e-mailed.

TAYLOR'S POINTE – LOT 16

Located at the end of Shore Drive. Tax Map 69; Parcel 267; Lot 1. First Election District. Council District A. BOA 4403. Planner Betsy.

Plan No. P12-058 Subdivide existing lot 1 to create lot 16; 4.4783 acres; R4.

Received 06-19-12 Ronald W. Parker/Frederick Ward Associates.

John Mettee of Frederick Ward Associates presented the site plan. This project entails creating an additional lot, the lot known as 16, out of the property currently owned by Ron Parker, Lot 1. This particular development, Taylor's Pointe, was approved under a Board of Appeals case a number of years ago which limited the number of impervious area that was permitted. As the project currently stands the impervious that was per design was 137,897 square feet. The impervious area that is constructed to date is below that. With the additional impervious area for Lot 16 it will still be under that threshold. Lot 16 is set up as a panhandle lot. It will in fact be accessed through a shared driveway through Ron Parker's lot. This lot is being created for his daughter, Julie, and her husband. There was in fact a lot that was approved that was never built on in Taylor's Pointe because of the non-tidal wetlands impact on that particular lot.

Don MacLean - Volunteer Fire and E.M.S.

He has no comments on this plan at this time.

Robin Wales - Emergency Operations

The addresses of panhandle lots shall be displayed at the entrance within 10' of the public roadway, at least 3 feet high and at each driveway to indicate the proper lane of access for each property.

Patrick Jones - Harford Soil Conservation District

No comment at this time.

Len Walinski - Health Department

Proposed Lot 16 is unimproved and will be serviced by public water and sewer. The Health Department recommends that the owner/developer disclose any prospective purchaser of the property to the close proximity to the Edgewood area of Aberdeen Proving Grounds. The final plan must bear Standard Owner Statement and Master Plan Conformance Statement.

Mike Rist- DPW – Engineering

A grading permit or standard sediment control plan shall be required for the development of this site. Stormwater Management must be provided in accordance with the 2000 Design Manual as amended by Supplement 1. Maintenance of the stormwater facility or facilities is the responsibility of the lot owners. Stormwater management practices designed for and located on individual lots shall be constructed and inspected prior to the issuance of use and occupancy permits. A utility permit will be required for the construction of the water and sewer service if construction occurs within the County right-of-way.

Darryl Ivins - DPW - Water and Sewer

His office did not receive a Fee Authorization Letter. Therefore, they have not yet reviewed the plan. They will provide comments when they get the required paperwork.

Ronald Kauffman - Board of Education

Dependents of this proposal will attend the following school attendance areas, Joppatowne Elementary School, Magnolia Middle School and Joppatowne High School.

Betsey Greene - Department of Planning and Zoning

This property is zoned R4 (Urban Residential). A variance to permit up to six panhandles lots in the R4 zoning district was approved in Board of Appeals Case #4403. This plan proposes to subdivide existing Lot 1 to create Lot 16 in accordance with the provisions of the BOA case. The project remains subject to the terms and conditions of the BOA case. A Buffer Management Plan

shall be submitted concurrently with the preliminary plan. Since the plan calls for creating a new lot, this subdivision must follow the new Buffer regulations with regards to the Buffer Establishment requirements per the Zoning Code. It must include the establishment of native trees, shrubs and herbaceous perennials within 75 feet of the shoreline, with details showing a mix of sizes (i.e. canopy trees, understory trees, large shrubs, small shrubs, herbaceous perennials) and species of plant materials, spacing between the plantings, maintenance schedule, and survivability requirements. It must also include details of pier access, including areas to be cleared and materials to be used to construct the pier access path. (Condition # 8, BOA Case 4403). The dwelling must be located a minimum of 110 feet from shoreline. This is in keeping with the site plan that was previously approved for the subdivision, with the exception of Lots 7 & 8, and the grandfathered dwelling located on Lot 1. (Condition # 1, BOA Case 4403). Within 75 feet of the shoreline, no impervious surfaces or structures shall be constructed during or after construction, with the exception of a pier access path or pier. (Condition # 6, BOA Case 4403). Temporary disturbance for earth moving or grading shall not be permitted within 75 feet of the shoreline. Grading for the project may not proceed until the Buffer Management Plan is approved by the Department of Planning and Zoning. Likewise, the Use and Occupancy permit for the home will not be released until the plantings are installed. Calculations of pollutant loading removal to satisfy the 10% rule shall be included with preliminary plan submittal. (Condition # 9, BOA Case 4403). The new lot shall share a common drive. A common drive agreement providing for the use, maintenance, and responsibility of the common drive to include all lot owners who share the common drive, shall be recorded with the final plat. The preliminary plan approval should not be granted until the current zoning violation on 400 Shore Drive is abated. The remainder of the Lot 1, will need to establish the 75 foot Critical Area Buffer. However, the extent of the establishment is different than the new lot (Lot 16). Lot 16 must fully establish the Buffer, whereas, Lot 1 needs to establish the Buffer based on the total amount of lot coverage located outside of the Buffer. The Taylor's Pointe subdivision is unique with its 75 foot Buffer approved as a condition of BOA Case #4403. The amount of lot coverage calculated was based on the square footage of impervious surfaces located landward of the 75 foot Buffer up to the proposed lot line for Lot 1. This amount required 16,452 square feet of mitigation for Buffer establishment. A Buffer Management Plan for Lot 1 shall be submitted concurrently with the preliminary plan. It must include the establishment of native trees, shrubs, and herbaceous perennials within 75 feet of the shoreline, with details showing a mix of sizes (i.e. canopy trees, understory trees, large shrubs, small shrubs, herbaceous perennials) and species of plant materials, spacing between the plantings, maintenance schedule, and survivability requirements. The Buffer Management plan will also need to incorporate the trees cleared as part of the current zoning violation. The 16 trees cleared will need to be replaced with 52 trees. If the Buffer gets established with the violation mitigation and some other small amount of the establishment requirement, the remainder of 16,452 square feet of mitigation does not need to be paid to the county as fee-in-lieu. Due to the current zoning violation, the Buffer establishment requirement will be satisfied once the 75 foot Buffer gets fully established.

Mr. Farley said he has lived there since 2003 and he is very familiar with the project the development project they are talking about today. He has a few questions for the man with the Fire Department. He is concerned that you did not have any questions. Are you aware in the past 5 years how many times the fire department has been in that cul de sac?

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Mr. MacLean said no.

Mr. Farley said are you aware of how many fires have been in that cul de sac in the last 5 years?

Mr. MacLean said there is a hydrant in that cul de sac.

Mr. Farley said his question was are you aware how many fires they actually had in that court in the past 5 or 6 years

Mr. MacLean said no.

Mr. Farley said in the last 5 or 6 years there has been two. One of the gentleman, Dion Guthrie, he thought he might see him here today. He actually bought a house in that cul de sac a couple of summers ago. His house alone has had 2 fire calls to that house. Ron Parker just recently had trees catch on fire in that cul de sac. One had a stove catch on fire. There is a point why he brings this up. This is important to him. The kitchen caught on fire when she was baking a cake at 2 at the morning. He has never seen such activity in that court because of fires. His concern is last weekend, the grandson of Mr. Greaver, had a birthday party and they rented one of those big things. It was a water slide. They are 25 feet high. They had to fill up the base at least 4 feet with water. It took 4 hours with 3 hoses from 3 separate houses. There is not adequate water pressure at the end of that court. He called twice and the employees told him the problem is they are the end of the line. Maybe you can elaborate on that to everybody here because he doesn't understand. It took 3 houses to fill up this much water in a water slide because there is no water pressure. That brings him to the fire department gentleman. His concern is if you put another house there can you adequately ensure Mr. Farley and everyone else here that his house isn't going to burn down because there is not adequate water pressure. So he addresses that to the fire person or the water person. He has other questions also.

Mr. Ivins said he is not sure of the line size at the end of that cul de sac but he is fairly certain that up to the fire hydrant that is there, that it would be an 8 inch line size. He is not 100% sure but at the very least it would be a 6 inch. That hydrant will put out at least 500 gallons per minute which is the county requirement for fire flow out of a hydrant. The water mains that are in that court are adequately sized to serve all the houses in there as well as this additional house that is proposed. There will be adequate pressure for that. The reason why it took so long to fill the slide was because of frictional losses in the hose because they used 3 small diameter hoses, probably 5/8 inch diameter probably at least 50 feet long each. That act alone significantly decreases the water pressure coming from the end of the hose.

Mr. Farley said he is not technical in understanding water as you are, although you are not certain what the size of the main is there. But when they built his house he stood there when they tapped into the water line. He was there when they had done that for sewage and they ran the line. The line coming off of that is similar to that size of a garden hose. Would you agree? He watched. He saw what they put in.

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Mr. Ivins said the line for your house.

Mr. Farley said yes.

Mr. Ivins said it was probably $\frac{3}{4}$ inch copper.

Mr. Farley said his point is from that point even within the house there is a lack of water pressure, not in just the hose. He uses that as an example so everyone can understand what the point he is trying to get to. Let's not focus on the water slide. Let's focus on the water in the house. The water pressure is very low. Mr. Ward, may he step up and see this drawing.

Mr. Ivins said he has to correct you. The water pressure is not very low. It is somewhere in the vicinity of 40 to 60 lbs. in your house. It may be significantly higher than that.

Mr. Farley said ok.

Mr. Ivins said because your ground elevation is somewhere around 15 or 20.

Mr. Farley said on the first floor. They are on the water. The first floor ground elevation is typically between 11 and 15 for most of the houses.

Mr. Ivins said at elevation 15 for your first floor house the lowest the water tanks in that area get is about elevation 200. That is the lowest it can get at the conclusion of a fire event. At 200 you would subtract the 15 so 185 and roughly half of that. The pressure the static pressure without any water flowing is going to be somewhere between 75 and 85 psi in the main. That is significantly larger than what is required for operating a house. County and public regulations he believes is around 20 psi on the second floor. That is easily achievable on your cul de sac. The mains in the street will easily supply all the pressure for all of the houses.

Mr. Farley said you are confident there is no risk of being inadequate to put out a fire. Then he is happy with that. Mr. Ward, how old is that drawing?

Mr. Mettee said it was generated 5 months ago.

Mr. Farley said why did you neglect to put house 14 on there on the panhandle. That house has been built for over 2 years maybe 3 of 4.

Mr. Mettee said it should have been on there.

Mr. Farley said the reason he brings that up is the young lady in the corner mentioned panhandles at 6. He would go back and count because Ted Ryder, who was killed in a plane crash, has the house there and also a lot for a house on the panhandle. There are already 6 houses on a panhandle. That oversight, coincidentally, may affect that number.

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Mr. Mettee said he believes that is based on the lot configurations not the house itself. The physical house being represented on here doesn't have the impact.

Ms. Greene said whether the house is there doesn't affect it.

Mr. Farley said did you say there was approval back from the old thing for 6 panhandle lots.

Ms. Greene said there was approval for 6 panhandle lots. Mr. Davenport can correct her if she is wrong. He was here when it came in. The way she is interpreting and understanding it that are not being considered for that 6 are going only to piers. If they are only for fishing access.

Mr. Farley said even with that statement. If you want to look at it as that, he understands. Even with that there are 6 houses. Then there are also those 3 additional panhandle lots. There is way more than 6.

Mr. Davenport said they will not approve more than 6 panhandle lots at Taylor's Point.

Mr. Farley said this meeting is moot.

Mr. Davenport said they count 6. This will be the 6th.

Mr. Farley said can he show you.

Mr. Davenport said it doesn't show up on this plan. They can look at the final plat at any time outside this meeting.

Mr. Farley said he just showed you one. There are 6.

They went to the plan.

Mr. Davenport said he doesn't have the final plat in front of him.

Mr. Farley said he has the plat here which is not the full plat, he agrees. He left off the panhandle lots that they need to be counting. So let's count. One, Two. This driveway that comes down here are the panhandle lots. You have Dion Guthrie. You have the stone house here. You have Ted Ryders. So that is 1, 2, 3, 4, 5 and 6. There are already 6 panhandle lots. In addition to that pier thing you were talking about. On this street there are 3 houses, they were entitled pier access. There are 3 more lots there. 6 plus 3 is 9. He is not good at math. Mr. Ward, did you want to address that?

Mr. Mettee said off of Shore Drive there are only 3 panhandle lots recorded on the final plot here.

Mr. Farley said he just showed you.

Mr. Mettee said he has the final plat right here. There are 3, Lot 8, 9 and 10.

Mr. Farley said what year is that document you are working with.

Mr. Mettee said this is the actual recorded plat in the land records.

Mr. Farley said they don't have to focus. He assures you his math is correct. There are a couple other things then he thinks he is done. The original project, part of the project that was supposed to be done was sidewalks all the way around. He has lived there 10 years. The sidewalks never went in. Finally Jerry Tebow and the Home Owner Association talked him into paying. The homeowner's paid for his sidewalks. You guys probably know more about this stuff. It took him 10 years to put it in. The reason he brings this up, if you are to approve it and he is ok, another house is fine as long as his house doesn't burn down. If you guys are attesting that his house is ok, build 5 more houses, he doesn't care. But what he does care about is that the project is done completely and correctly. What they are looking at is a landlocked piece of property. That piece of property is landlocked. Someone is building a house for his daughter. Let say one of the scenarios is people move on. Who knows what happens? Somebody dies. The will is contested and people sell. How do they address that panhandle property that is now saying they are sharing a driveway? It is not necessarily a panhandle. You are actually looking at the development and what he proposes is that they define the driveway that is going to be there because it is a shared driveway. Mr. Ward, those 2 people are not sharing that access to that driveway. He proposes that the county put in a road first where that house is going to be that is defined up front.

Mr. Davenport said one of their requirements is to define a common drive easement and record a comment drive agreement providing the use, maintenance and responsibilities of that shared driveway for perpetuity for whoever shares in the future. Regarding the sidewalks.

Mr. Farley said that was 10 years of pain. His kids had to walk in the street to school. That was 10 years of pain.

Mr. Rist said he doesn't recall what was on the plan. Whether it was approved on the plan or what. He is not sure.

Mr. Farley asked who Mr. Rist is with.

Mr. Rist said he is with Public Works. They are responsible for the approval and the inspection of each road when they are first built. It was so long ago. He just doesn't know off the top of his head.

Mr. Farley said he recalls. It took 10 years. At least 10 years. Finally, the neighbors got fed up and talked to the association and paid a contractor to put them in. Ron never did pay for them. That is neither here nor there. His point is, he doesn't want you to screw around for another 10 years. He lived there and it wasn't fun to go through that. What commitment do you get that if you approve this you are not going to do that again? Maybe he can make a suggestion. Can they

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define the scope of the project up front clearly, with timelines on it? You must do it by this or you don't get that. Can they put timelines on it?

Mr. Davenport said assuming they approve the plan, then they have 4 years to record a final plat. The final plat records the lot. The lot could never be built on or it could be built on as soon as it is recorded. That is the prerogative of the property owner. There will be conditions of approval as you heard today. There are outstanding issues that need to be remedied before they will consider approving the project. The conditions of approval will be established in the preliminary plan approval letter signed by the property owner.

Mr. Farley said for the record it is not just him here. There are multiple neighbors that share these concerns that live in that court. Due to vacations and some are at work, they were unable to attend. It is not just one.

Mr. Davenport said they have met and discussed with several of your neighbors.

Mr. Farley said you have.

Mr. Davenport said yes.

Mr. Farley said how much time does he have. Is he taking up too much time from everybody else?

Mr. Davenport said this is your time.

Mr. Farley said they addressed the panhandle and the 6 houses. They can talk about that more. After this meeting, so he can understand, what happens? What is the next step? Is it go or no go?

Mr. Davenport said they would define their questions and their comments and they have to come back and satisfy those comments. When they find it is in compliance with all the rules and regulations they have to extend approval for the project. That is up in the air. It could never happen. This lot was approved 8 or 10 years ago through the Board of Appeals and it is finally coming to fruition now.

Mr. Farley said his number one concern is the safety of his kids. He has a 4 and 7 year old. He will explain what the panhandle means to him with the kids that are playing out front and the safety reasons. Infrastructure, they are assured that the water is fine. That will be in place prior to this. What happens, hypothetically, the water department was off. You say fair game is 20. That is just like saying they are allowed to drink a little bit of lead in their water. He still doesn't like drinking lead in his water. Let's assume what the government quotes is adequate and it really is not to the homeowners there. He respects that he has a concern about water pressure today. Take that into consideration. If there is an infrastructure piece that needs to be done. Once the permit is granted and they build the project, who is going to pay to have that infrastructure, in the event that your calculations are wrong.

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Mr. Ivins said if the calculations are off, which he is confident that they are not, the developer would have to pay for that.

Mr. Farley said that is his point. They didn't pay for sidewalks. He is done now with his point. If you wait on the developer and it took 10 years to do sidewalks. You never actually did it. They did it. You never completed that project in his opinion. Now you are asking for another one. That is his point. He just wanted everybody to know that.

Mr. Davenport said he would be glad to meet with you. They are open 8 until 5.

Mr. Farley said there is one other thing. A month or two ago there was a violation.

Mr. Lightner said the currently zoning violation is the removal of 16 trees in the 75 foot Critical Area Buffer. They were removed without permission.

Mr. Davenport said their comments indicated that they won't consider approving until the violation was abated to their satisfaction.

Mr. Farley said so this is not getting approved today or any time soon until that project is complete.

Mr. Davenport said that was their comments. They are here 8 to 5 if you want to discuss the panhandles and review the record plats.

Mr. Farley said he thinks they are fine with the houses. If you want to come down, he will walk you through them. You can count the houses. He knows his math is right.

1131 CLAYTON ROAD

Located on the north side of Clayton Road; south of the Baltimore & Ohio Railroad tracks .Tax Map 65; Parcel 562; First Election District. Council District A Planner Shane.

Plan No. S12-071 Convert ext dwg to Assisted Living Facility for 7 residents; 0.72 acre; /B3.

Received 06-20-12 Evelyn D. Gross/Frederick Ward Associates.

John Mettee of Frederick Ward Associates presented the site plan. He is here representing Evelyn D. Gross. She owns property on Clayton Road, 1131 Clayton Road. The property is currently zoned B3, Commercial. It has an existing home on the property. The property is improved with a house and an existing driveway. The purpose of this plan before DAC is to do a change of use. Ms. Gross is wanting to change the use to an Assisted Living. The property is currently served by existing water and also served by a septic system. There is adequate parking

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that has been provided for this use. One of the other items that is pending right now is there is concurrently a landscape plan that was submitted for approval for this particular project. There are no planned improvements physically to the property other than doing some striping for the parking. All the paving is existing. There will be some trees that will be installed once the landscape plan is approved but there is a proposal to install a sign.

Don MacLean - Volunteer Fire and E.M.S.

All new buildings or altered buildings with an automatic sprinkler system or a supervised automatic fire detection system, a Knox Box must be installed per N.F.P.A. 1, Part III, 3 – 6. Every effort should be made to make the building accessible for ambulance cots. A cot is approximately seven feet long and two feet wide. Due to the nature of it, he is sure there are going to be patients in and out regularly.

Robin Wales - Emergency Operations

Emergency Operations is requesting the address be clearly visible from Clayton Road.

Patrick Jones - Harford Soil Conservation District

No comments at this time.

Len Walinski - Health Department

He will be reading comments from Julie Mackert from the Health Department. The site will be serviced by public water and private septic system. Prior to release of the building permit the following are required. 1) In order to determine repair area and the capability of the soil to accept and treat sewage effluent, a percolation test must be performed during the wet season. The “wet season” typically runs February 1st through April 30th. Depending upon the results of the percolation test the proposal may be prohibited or limited. 2) The septic system must be pumped and certified by an individual who has completed the approved certification course through the Maryland Department of the Environment. A copy of the report which includes the material of tank, the capacity of the tank, and the condition of the drainage field must be submitted to the Health Department.

Darryl Ivins - DPW - Water and Sewer

Their only comment is that you should remind your client that if they are proposing any additional water using fixtures they should contact their office about getting a new fixture count because they may owe some additional charges.

Mike Rist- DPW – Engineering

If land disturbing activities are above 5,000 square feet then you need to address sediment control and stormwater management. The driveway on the eastside of the property must meet

commercial access standards and shall be a maximum width of 35' with 25' radii. You will need to get an access permit to modify that entrance.

Shane Grimm - Department of Planning and Zoning

The table listing the design requirements is incorrect. However, in general it does not affect the plan. The correct setbacks for transient housing in the B3/General Business District are 30 foot front yard, 10 foot side yard and 40 foot rear yard. The front yard setback should be measured as 30 feet from the centerline of the road, plus the 30 foot front yard setback. It appears that the property goes to the centerline of the road. Again, it should be measured 30 feet plus 30 feet. It doesn't affect the plan in the sense that the dwelling is located at the center of the property and meets all setbacks. However, it would affect the location of the proposed sign and that would probably have to be moved back a couple feet. The landscape plan has been submitted and is in approvable form. They will need to have that plan signed by the owner/developer prior to approval of the site plan. The landscape bond and surety agreement shall be submitted to the Department prior to building permit application. You should probably contact the Department of Inspections, Licensing and Permits, their building services section, if you haven't already, to determine what requirements might be necessary to convert the house to the use that you are proposing.

1329A BEL AIR ROAD

Located on the south side of Bel Air Road (Route 1); east of the intersection of Bel Air Rd (Route 1) and Harford Rd (Route 147). Tax Map 55; Parcel 351; Third Election District. Council District A. Planner Shane.

Plan No.	S12-074	Convert retail bldg to auto sales/service/storage; 0.917 acres; B3.
Received	06-20-12	BAN Real Estate, LLC/Morris & Ritchie.

Amy DiPietro of Morris & Ritchie presented the site plan. This property is located just north of the bypass. The bypass is split with Business Route 1 which is located down here and if you drive north you will head towards Bel Air. The site is presently .9 acres in size and zoned B3. It was a rug sale store. They are proposing to change it to used car sales and motor vehicle service. Retail sales in the B3 district have a 5 foot side yard setback. Changing it to motor vehicle sales requires a 20 foot side yard setback. They are presently pursuing a subdivision waiver to move the boundary line to get rid of the nonconformity. They are not really making any significant changes to the site or to the building. They will be renovating the building, adding a small canopy out front, maintaining their existing access to Route 1, and cleaning up this rear edge. In addition, they are proposing 14 parking spaces to serve the sales portion facilities. And they are proposing 33 parking spacing for the storage and sales of vehicles. They are permitted 85% impervious surface in the B3 District and they are proposing 74%. The existing water and sewer service to the building is served by Harford County maintained lines. The existing water comes down back here to the existing water meter and that is maintained by Maryland American Water. Finally, based on their preliminary trip generation numbers they are not anticipating a large increase in traffic due to the change in use.

Don MacLean - Volunteer Fire and E.M.S.

All new buildings or altered buildings with an automatic sprinkler system or a supervised automatic fire detection system, a Knox Box must be installed per N.F.P.A. 1, Part III, 3 – 6. Any security gates must also be accessible with a Knox Box key.

Robin Wales - Emergency Operations

Emergency Operations is requesting the buildings to display 6” – 8” address numbers and letters and if not 24 hour operation, must have a list of 3 emergency contacts for notification, response, and securing purposes.

Mike Rist- DPW – Engineering

A grading permit or standard sediment control plan will be required for land disturbing activities. Stormwater Management must be provided in accordance with the 2000 Design Manual. The design needs to include the areas which are either graveled or paved without previous stormwater approval. A stormwater concept plan would need to be submitted for review prior to preliminary plan approval. A stormwater management concept plan will need to be approved prior to any grading permit or standard sediment control plan. Maintenance of the facility or facilities would be the responsibility of the lot owners. All pavement striping and traffic control signs shall conform to the Manual on Uniform Traffic Control Devices.

Rich Zeller – State Highway Administration

SHA has concerns with traffic operations at the existing entrances to the site given the additional traffic that the service department is going to generate. They would like the opportunity to review trip generation numbers to determine the traffic impacts at the site accesses. An access permit to close existing entrances and also widen along the entire property frontage to provide bicycle compatibility may be required. They are asking the developer to submit 5 copies of the requested trip generation analysis to the Access Management Division and SHA review and comment. They will defer specific comments regarding entrance and road improvements until their review of the trip generation analysis has been completed.

Shane Grimm - Department of Planning and Zoning

A portion of the property will be transferred from the adjacent Parcel to this parcel to accommodate the setback for the existing building and its change of use. That deed transferring the portion of Parcel 352 to Parcel 351 shall be recorded in the Land Records prior to building permit or tenant occupancy permit application for the existing building. The lighting plan needs to be submitted for review and approval prior to site plan approval. The lighting plan shall provide detailed lighting specifications. All lighting shall be directed down and on to the site. The Department recommends that shielding be installed to further contain the lighting.

Len Walinski - Health Department

Various permits from the Maryland Department of the Environment may be required depending on services provided. It is the owner's responsibility to be aware of these regulatory requirements and for obtaining appropriate permits. Just control dust during development of this site.

Darryl Ivins - DPW - Water and Sewer

The only comment he has is if additional water using fixtures are proposed, let your client know they will have to contact his office in case there are additional fees due.

Mr. Grimm said he does want to say that the 4 foot retaining wall in the rear of the property will require a building permit. Make sure you speak with the Department of Inspections, Licenses and Permits to figure out what plans will be needed for that wall.

Mr. Memphis said he just heard about a situation a day ago and it concerned him because this project could adversely affect their property values in their neighborhood unless they understand there are going to be certain safeguards by all of you that represent homeowners and their real estate properties. They are concerned about lighting and sound that might come from this project that Jones is proposing. Particularly lighting. It is their unfortunate situation in their neighborhood that straight down Terry Way there is a current suit by 2 or 3 homeowners because of the lighting situation that previously existed. He doesn't know if it still exists. He doesn't go down the street very often. He doesn't get into other people's business. But this time around a neighbor pointed out to him because of this project. His home in the rear could be affected by certain light factors that might come up from this project. There are other homes. His neighbor, who in a few moments will comment, he is absolutely close to this project. He knows very well that he is going to be affected by it. Most of their neighbors are just hearing about the situation. That is why they aren't here in greater numbers today. They ask all of you who have the power, you are empowered to make sure that you protect their home investments. It is very difficult to sell a property when you have a negative factor like excessive lighting coming in your bedroom windows at night and having to hide from that kind of lighting. It is unfair. When a company seeks to make a dollar you must think about the dollars that they have invested in their properties as well. They have nothing against the fact that they are going to build the project where they are going to put it. It is their business. It is going to get done. But when it comes to their values you have to be very considerate on their behalf.

Mr. Snyder said it will affect him greatly. Obviously the water coming through goes right through his property that Maryland Water puts through. He has some questions. He doesn't think he will be as long as Mr. Memphis. His biggest concern is when Jones did the other project further down, it is his understanding, no permits were gotten and no lighting was approved. It didn't come before DAC. And it still went through. He doesn't want to see this rough shot through the system either. Because now these people, he guesses their philosophy was it is easier to ask for forgiveness than beg for permission. That is where they are at this point. The lighting is ridiculous. It is like daytime for those people. His heart goes out to them and he is trying to avoid it. His understanding from what information he has done some research, there are simple solutions

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to it that obviously Jones didn't look into or didn't want to look into. His big question is, he doesn't read plats. He doesn't know what he is looking at here. Other than the fact that he can figure out where his house is. His house butts up against it. It comes down, he guesses that is county property, those woods that are behind this property.

Ms. DiPietro said it is part of this parcel.

Mr. Snyder said it is part of this parcel. How much are you taking off of that wooded area or forestry behind the building?

Ms. DiPietro said the existing building is right here and they are only proposing to move that tree line back 10 or 20 feet.

Mr. Snyder said how much buffer does that give them.

Ms. DiPietro said you have 40 feet. This is the 40 foot rear yard setback and there is also a 20 foot buffer yard between the residential and the commercial zone. You are going to have at least 40 feet of trees that are going to remain.

Mr. Snyder went to the plan to look. He said his concern would be towards soil management. If you go out there, there has been significant erosion on that property. He doesn't know if any construction will add to that. If you are building a retaining wall, maybe that solves it. He thinks you said something about that. He is concerned with the erosion if what they do continues to erode it where does that leave his property. It is 40 feet but the erosion comes back to his property. That is not covered under insurance. That will be on his nickel. Again, do you have a scope for the lighting? Will that be for them to see before it is approved? How do they as a neighbor get to see? The lights went up down the road before. They were not there one day and then up the next.

Mr. Grimm said they have requested that a detailed lighting plan with specifications be submitted prior to them approving this plan. When that becomes available you can contact him. Or if you leave your name and number, he can contact you and let you know when that plan becomes available. You can come in and take a look at it. I could scan it and email it to you.

Mr. Snyder said that would be great. The other concern is the noise pollution part of it. Obviously, it sounds like you are going to have a service department. How many bays?

Ms. DiPietro said five. No, six.

Mr. Snyder said obviously auto mechanic shops are not quiet. Does that mean that Jones will open at 7:00 in the morning on Sat. and start banging on drive shafts and things like that? Obviously, in a neighborhood to be a good neighbor people aren't out there cutting their lawn at 7:00 in the morning. He doesn't want someone banging on a drive shaft or fixing cars and vibrating the house and things like that. Those are some of his concerns for you to look at. Is there noise control? He doesn't even know.

Mr. Davenport said the only noise ordinance he is aware of is regulated by the Sheriff's Department between 11 and 7. You would have to contact the Sheriff's Offices between those hours if they are above a certain decibel level. The Zoning Department doesn't have a noise ordinance provision in their code right now. Can you speak about the operation? Is it heated and Air Conditioned inside? Are the bays open? Do they know?

Ms. DiPietro said she is not aware of the heating and air conditioning. His understanding is they will be used for a device called an Auto Butler, which is more of a detailing machine. It is not necessarily for service and fixing car problems.

Mr. Snyder said can you explain that transfer of deed.

Mr. Grimm said the building itself as it stand on the current property cannot meet the setback for motor vehicle uses. In this case it is a 20 foot side yard setback. In order to convert this to a motor vehicle use they would have to adjust the property line in order to make it meet setbacks. Now in this case, they own both the property in question and the next property over. They can easily be accommodated to adjust the property lines so that it can meet the setbacks. They will have to record a deed transferring that piece of property from the adjacent parcel and it has to be recorded in the Land Records prior to them issuing a tenant occupancy permit.

Mr. Snyder said he will be in contact with you.

Mr. Grimm said after the meeting you can stop by the front desk and ask for his card.

Ms. Poth said she has a question about the Auto Butler. Is that a car wash?

Ms. DiPietro said it is not a car wash. Her understanding it is kind of a car detailing.

Ms. Poth said outside or inside.

Ms. DiPietro said she thinks it is solely to do with the outside of the vehicle.

Ms. Poth said will the service center have an intercom system.

Ms. DiPietro said she is not aware.

Ms. Poth said you are with MRA. What kind of company is that?

Ms. DiPietro said it is surveying, land planning and engineering. They don't have detail architectural drawings at this time. She is not aware if there will be an intercom system. She doesn't believe so.

Ms. Poth said the last time the lights went up you didn't get to approve any of it. If that happens again what repercussions are there if they don't follow the rules again?

Mr. Davenport said the last plan they converted an auto dealership to an auto dealership. They weren't required to go to the Development Advisory Committee for review. It was Hinder Automotive. They sold and serviced vehicles there for 20 or 30 years. Another auto dealership moved into it. They really didn't go through the scrutiny of the Development Advisory Committee for the development of the site. Now this is going from a retail center to a motor vehicle sales and service. There are different setbacks which they have indicated and different provisions in the code that apply that require them to review the proposal.

Ms. Poth said different rules.

Mr. Davenport said the same rules and regulations apply. They didn't require the technical review because it was simply a redevelopment of a motor vehicle sales and service center. They both learned a lot of things from that, the owners and the county. They are making every effort to alleviate the impact.

Ms. Poth asked is there going to be a lighting consultant they can discuss with.

Mr. Davenport said he understands they have hired a lighting consultant to prepare the plan.

Ms. DiPietro said they have retained the services of somebody to create a detailed plan so they can know the property boundaries and everywhere and give them some guidance to look at the lighting.

Ms. Poth said can anyone see before. Will it be available?

Mr. Davenport said as soon as they provide it to them it is public record. You can give contact information and they can notify you when those are available so you can review those.

Mr. Snyder said according to the zoning code, he knows it was a redevelopment of the Hinder Lot, but he is confused on your authority. His concern is that it took a suit to try to get this other issue resolved. According to the code, it is pretty specific that lighting shall not be designed and controlled so any light shall be shaded, shielded or directed so that the light intensified or brightness does not adversely affect the operation of vehicles or reflect in a residential lot. There is nothing more reflecting into those buildings but lights. They had to sue to get them down.

Mr. Davenport said simultaneously to the law suit they had zoning violations on those lights. they were working at the same time. They chose to sue. The property owners can still choose to sue. At the same time they weren't just ignoring them.

Mr. Snyder said he is not accusing you of ignoring the fact. They are all big people here. Politics are politics and taxes are taxes. And Jones is a huge employer in the area. He is sure when the owner of Jones calls, David Craig picks up the phone. When Tim Snyder calls he is not picking up the phone. He understands that. His concern is, if he puts up a pool without a permit,

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you would have come and told me to take it down. That would have been the bottom line. It would have been you didn't have the permit take it down.

Mr. Davenport said he would disagree. They would ask you to get a permit.

Mr. Snyder said if it didn't qualify under the zoning code, he would have had to take it down.

Mr. Davenport said their main objective is to get you into compliance. If you built something illegally they are not directly taking you to court. They want to get you into compliance. That is their objective with you and that would be their objective with any property owner.

Mr. Snyder said that is where he is overly concerned. He would think if 4 or 5 or 6 people said come look at this. It was easy enough to do. You could have driven through the neighborhood and seen and said "Holy Mackerel". If you would have went into Jones Subaru or whatever is there and said the lights have to come down and they have to be down in a week. That is the bottom line. Obviously that didn't happen. So these homeowners had to hire council to file suit and are in the process of doing that. That is his concern that again, it is easier to beg for forgiveness then ask for permission. That is his biggest concern.

Mr. Davenport said that is why they have asked for plans for lights. And they did go to the site. And they did say "Holy Mackerel." Those lights are 30% less intense, and the issues were significantly reduced and they were. He thinks both side would agree.

Mr. Snyder said Mr. Grimm, he thinks they are going to be very close.

Ms. Sauers said to the State Highway gentleman and in general. When they approve and you approve the use car lots in an area that is surrounded by residences, she has a real problem with seeing vehicles pulled up on the grassy lot that are right on the curb on the highway. It impairs their vision. It blocks stop signs. It makes a blind curve when they try to pull out. She does wish the dealers had more respect for their safety in the neighborhood. Keep the automobiles off the grassy lots.

Ms. Bruce said she is on the Fallston Community Council. The lighting issue that the gentlemen behind her mentioned came up several times. What concerns her is there was no problem between Henders and the residents for decades. What happened was when Jones came in they wiped out trees that were a buffer between the properties and they increased the lighting. It was far above what the BGE representative told the Community Council they recommended. They refused to take responsibility. They gave Jones a plan. They were hired. Jones far exceeded it. BGE said don't complain to us about the lighting. It is not their fault. Between the increase in lighting and the decrease of the buffer and the lack of installation of anything else between the homes that have been there for decades. They came in and wiped out the buffer. That is what created the problem. She believes you said 10 feet or so of the existing buffer was going to be wiped out here as well. She disagree with that. She has obviously no problem with them doing

what they want to use it for. But that buffer is critical for the people behind them. Those people were there first and he asks that they please leave the buffer. Harford County does not have any enforceable laws protecting against noise. They are relying on someone's best guess or opinion for the lighting law. There is no measurement. It is a matter of judgment. She realizes you can't do anything about that. But because you can't do anything about that she is asking that you leave the buffer that is there. Be respectful with the lighting regarding the laws and overkill.

1710 HARFORD ROAD

Located on the north side of Harford Rd (Route 147); west of Bel Air Rd (Route 1). Tax Map 55; Parcel 211; Third Election District. Council District B. Planner Shane.

Plan No. S12-075 Construct 9,980 sf bldg for vehicle detail shop; 2.192 acres; B3.

Received 06-20-12 D & S Real Estate, LLC/Morris & Ritchie.

Amy DiPietro of Morris & Ritchie presented the site plan. The subject property is located north of MD 147 between Connolly and the bypass. 84 Lumber is right here. Jones Junction is here. This site is about 2.2 acres in size. It is zoned B3. It was recently developed under a site plan S11-017 as a vehicle storage facility. It consists of about 240 parking spaces. This plan proposes to keep its existing use but add an approximately 10,000 square foot detail shop. The addition of the building requires the rearrangement of the parking in front of the building. They are proposing to keep the perimeter of the site intact in addition to the existing access. The existing impervious area is 73% and will remain the same under the proposal. They are hoping to maintain the existing drainage area to and for the stormwater management facilities that are located along the perimeter. 34 parking spaces are proposed for the detail shop and the remainder of the parking spaces, which is 155, will be for vehicle storage. Public water and sewer are available on the opposite side of 147. The existing landscaping along the edge is already in. They are proposing additional landscaping at the front of the building. The detail shop is intended for private use. It won't be open to the public. They don't anticipate a whole lot of trip generation or increased traffic to this development.

Don MacLean - Volunteer Fire and E.M.S.

All new buildings or altered building with an automatic sprinkler system or a supervised automatic fire detection system, a Knox Box must be installed per N.F.P.A. 1, Part III, 3 – 6. Any security gates must also be accessible with a Knox Box key.

Robin Wales - Emergency Operations

Emergency Operation is requesting the buildings to display 8" – 10" address numbers and letters and if not 24 hour operation, must have a list of 3 emergency contacts for notification, response, and securing purposes. "Public safety wireless radio communications inside a building is essential to the safety of those occupying the structure as well as fire, law enforcement and emergency medical providers responding to a call for help. Buildings that are greater than 5,000 square feet, higher than 50 feet, contain underground storage or parking and are constructed of material that impede wireless radio signals may adversely affect the response of public safety

providers. Please consider including wiring, electrical connections and other infrastructure that may be needed for an in-building 800 MHz amplifier. Emergency Operations will test coverage in your facility once construction is finished. Call 410-638-4900 for this assistance.”

Patrick Jones - Harford Soil Conservation District

An adequate sediment and erosion control plan needs to be approved before a grading permit can be issued. The sediment and erosion control plan must be integrated with the SWM strategy at the design phase.

Len Walinski - Health Department

The same comments as the previous plan apply.

Darryl Ivins - DPW - Water and Sewer

His comments would be condition of site plan approval. There is an existing sewer service that will not be used to serve the property. That has to be identified on the construction drawing to be abandoned in accordance with their standards as part of the Commercial Application and utility work. If a reduced pressure principle type of back flow preventer is required to be installed, they may ask that the meter setting and backflow preventer be placed inside the building. If the vault remains as an outside vault, you are going to have to record a 15' x 20' drainage and utility easement. If it is done by deed that deed will have to be approved and submitted and approved prior to getting a building permit for the project. It will have to be recorded prior to the U & O. Any sewer cleanouts proposed in paving should use detail S-28. That should be also identified clearly on the construction drawings for commercial application. Place existing utility contract numbers on the application as well. Remind your client they will have to complete a Commercial Service Application prior to getting a building permit.

Mike Rist- DPW – Engineering

A standard sediment control plan or a grading permit will be required for the development of this site. Stormwater quantity and quality management has been provided in the existing onsite facilities. The engineer must provide verification that the drainage areas to each of the facilities are in conformance with the approved plans. All pavement striping and traffic control signs shall conform to the Manual on Uniform Traffic Control Devices.

Rich Zeller – State Highway Administration

SHA does have concerns about this operation and additional traffic that they see as being generated. They are asking again that trip generation evaluation be given so that they can determine what impacts to the site access are. An access permit to relocate the existing entrance opposite the Jones Junction may be required. Also it would include a possible widening of the frontage to provide bicycle compatibility along 147. They are asking to have 5 copies of that trip generation analysis be submitted to the Access Management Division for our review. They will

defer specific comments until they have the opportunity to review that analysis. The proposed utility connections along Harford Road/147 will be subject to the terms of a separate utility permit that may be obtained by contacting Mr. Michael Pasquariello, Utility Engineer.

Shane Grimm - Department of Planning and Zoning

The landscape bond and surety shall be submitted prior to building permit application. His comments for the last plan apply to this plan as well. He only adds that if the lighting plan changes and it doesn't appear based on this plan, you should update that previous lighting plan.

Ms. Sauers said one question for the Health Department. Did you say that they would be connected to the public sewage?

Mr. Ivins said that is correct.

Ms. Sauers said good. Cosmetically it looks very nice. She compliments Jones. It is a nice fence. There are lots of underground springs that run along Harford Road along that section. This caused a lot of icing problems in the winter. She thinks that will help alleviate it. Are there any plans intact to facilitate the heavy car carriers that are now having to park in the middle of Harford Road to unload.

Mr. Davenport said he thinks Mr. Zeller had some concerns about trip generation and whether or not there were any additional improvements required.

Mr. Zeller said when they first reviewed this site it was a storage facility. They didn't think there was an issue with the entrance. However, with this additional development for the detail operation they would like the opportunity to review the traffic numbers. As far as you are talking about, trucks stopping in the middle of Harford Road. That is certainly not something that SHA thinks they should do. He doesn't know what they can do to change that. Other than the district policing that. One of the things they are going to try and do possibly is to line up the entrances to reduce potential left turn conflicts that would be there. He doesn't know what to tell you about them parking in the middle of Harford Road.

Ms. Sauers said right at the intersection at Connelly and Harford, they have Annie's Playground. They have a lot of extra traffic at that intersection as you know coming in and out. They have the Benson Post Office on the left of Connolly. Their mail trucks to facility the exit of their office there have a lot of difficulty crossing the road onto Connolly. The intersection doesn't have any traffic control. They were hoping to get a roundabout or something that could help traffic flow easily down Harford Road. They don't necessarily want the road widened. Jones has the properties East, West, North and South property. That is fine as long as they respect the residents that are there. As you know, there are some business zonings at the intersection which are being consumed because of heavy traffic. Please keep in mind there are residents that are having great difficulty with traffic getting out of their property. Anything they can do to help the traffic flow there at that intersection would help give them access to their service. When the heavy

car carriers park in the middle of Harford Road she thinks the Jones need to make a Jones bypass or something that can facilitate those drivers. She sees it almost daily.

Ms. Bruce said she lives a little further down that area. She runs into the Jones trucks frequently. They block half the road. They are half on and half off. They were never designed to handle car carriers. You have the opportunity to do it right here. This is the first plan that she would recommend that instead of one central entrance where somebody has to come in turn right go around and make a bunch of turns. If you put that entrance to make it one way in and one way out so that they can start with a turn at the bottom right, go behind a passageway behind the building. They can use that for off loading without having to back up, the car carrier can go around the back of the building and down the other side and out. That would keep them out of a very, very busy congested intersection and not risk the lives of people trying to get the cars on and off.

HAMILTON RESERVE

Located on the south side of Harford Road (Route 147); west of Connolly Rd. Tax Map 55; Parcel 382; Third Election District; Council District B. Planner Eric.

Plan No.	C12-076	Create 69 residential lots; 28.474 acres; R2/B3.
Received	06-20-12	HC Ventures LLC/Morris & Ritchie.

Amy DiPietro of Morris & Ritchie presented the site plan. Also with her is Mr. Dresher. He is the owner of the property and a developer working for Hamilton Reserve. They had a community input meeting on Jun 19th at Fallston Fire Hall. It was attended by about 30 residents. At this meeting myself, Mr. Dresher and Joe Snee answered questions from many of the residents regarding this development. They tried to address concerns as much as possible and the minutes of the meeting were provided to Harford County with the submittal of this plan. This property is located off of Harford Road, between Connolly Road and 152. Here is Route 1 and the Wal Mart is across the street here on the plan. The site is approximately 28.5 acres and it is currently dominated by fields and a wetland area in the northeast corner. The property is split zoned with 21.7 acres being R2 zoning. There is a wetland portion over here. It is in the B3. Hamilton Reserve composes of 69 single family lots. Sized according to the Convention with Open Space development regulations in the R2 zoned. The average lot size is 7500 square feet. They are providing one access off of Harford Road. Harford Road is classified as a Minor Urban Arterial Road. Active open space is provided in 2 pods, in the dark green area, located here and here on the plan. It is totally about 1.3 acres and the total existing provided is over 12 acres. This area is mostly dominated by wetlands. It is going to be retained as a forest conservation easement. Stormwater management for the project will be provided under environmental regulation. They have 2 options for water connection. Water is available in Milton Avenue. Or they could go across Route 1. Sanitary will be provided by the existing manhole that is in part of the property. It will run along the property boundary. Finally a traffic scoping meeting has been held. A traffic impact analysis is underway.

Don MacLean - Volunteer Fire and E.M.S.

The way the development is presently laid out as far as fire hydrants and number of homes to access and egress from one entrance, he really thinks it is up to standards, what standards there are for these things. He thinks it is up to standards and adequate. However, he did receive a note from Dave Williams, Chairman of Fallston Community Council. A couple of things he addressed, he agrees with. But he is concerned about the single entrance and the way the development is laid out it looks like an entrance off of West Grove Avenue would not be out of the question. And certainly he thinks it would improve the accessibility by ambulance and fire equipment in times of emergency. Also, his concern was connecting for the water main system with the water main off of Connolly and Harford. This is probably a feasible project as well. He would support it although he doesn't think it will be necessary completely. Do you know the flow that is going to be obtainable there?

Mr. Ivins said not off the top of his head. It will exceed the 500 gallons per minutes required but he doesn't know what it would actually be at this time.

Mr. MacLean said he would think it would be more than that.

Robin Wales - Emergency Operations

The roads must be named and checked with Emergency Operations so duplication does not take place.

Patrick Jones - Harford Soil Conservation District

The review submitted must follow the steps outlined in the 2010 revisions of the Stormwater Management regulations based on the Stormwater Management Act of 2007. An adequate sediment and erosion control plan needs to be approved prior to a grading permit. The sediment and erosion control plan must be integrated with the Stormwater Management strategy. A concept plan has already been submitted and reviewed. They have made some comments already on those. If any Stormwater Management Facility is to be a Small Pond Standard (practice 378) the pond design will have to be approved prior to stormwater approval as well as sediment control approval. Outfall locations will be reviewed during design reviews. An NOI permit is required from MDE when a project disturbs more than 1 acre. Please contact MDE for you NOI permit.

Len Walinski - Health Department

At the discretion of the Department of Public Work, Division of Water and Sewer drainage and utility easements should be planned along appropriate tract boundaries to facilitate in the future the connection of neighboring properties to public facilities. Also, control dust during development of this project. Additional comments may be forthcoming upon review of preliminary plans. The final plat must bear a Standard Owner's Statement and Master Plan Conformance statement.

Darryl Ivins - DPW - Water and Sewer

Approval of the concept plan may occur after the property has been included into the Water and Sewer Service Area of the Water and Sewer Master Plan. The following comments shall be included as conditions of Concept Plan approval. The property is not located within the Fallston Sanitary Subdistrict. Legislation must be prepared which will place this property within the Sanitary Subdistrict concurrent with, or after the property is added into the Water and Sewer Service Area in the Water and Sewer Master Plan. When the property has been included into the Fallston Sanitary Subdistrict, the owner will be obligated to begin paying the annual assessment whether or not he develops based on the assessed value of the property. Approval of the Preliminary Plan for this project may occur after the property has been included into the Fallston Sanitary Subdistrict. An eight inch diameter sewer stub in a drainage and utility easement shall be placed in the vicinity of the three westernmost lots behind the stormwater management pond adjacent to Harford Road. The easement and the sewer stub shall be shown on the preliminary plan. He has given a contract number for these final construction drawings for the project. If there are any buffer yards that are not shown on here, they would like to see them on the Preliminary Plan so they can identify them clearly and put easements appropriately.

Mike Rist- DPW – Engineering

A sediment control plan and a grading permit are going to be required for this site. Stormwater management must be provided in accordance with the 2000 Design Manual as amended by Supplement 1. A stormwater management concept plan shall be submitted for review prior to or concurrent with the submission of the preliminary plan. Road plans will need to be approved and a Public Works Agreement will need to be executed prior to the issuance of any building permits. Lots shall not access onto a tee turnaround. A taper shall be provided from the monumental roadway entrance section to the normal roadway section.

Ronald Kauffman - Board of Education

Dependents of this development proposal will attend the following school attendance areas, Youth Benefit Elementary School, Fallston Middle School and Fallston High School.

Rich Zeller – State Highway Administration

The proposed access to MD 147 will be subject to the terms of an access permit that must be obtained from the Access Management Division. SHA will defer specific comments regarding site access and road improvements on MD 147, and potential off-site improvements until they've had the opportunity to review a traffic impact analysis to determine the developmental impacts to the surrounding road network. Six copies of the traffic analysis should be submitted to AMD for SHA review.

Eric Vacek - Department of Planning and Zoning

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The site is split-zoned R-2 (Urban Residential) and B-3 (Business) and totals 28.47 acres. The B-3 portion of the site totals 6.74 acres. The R-2 portion of the site totals 21.72 acres. This project proposes a total of sixty-nine (69) dwelling units and shall be developed under conventional with open space (COS) standards. These standards permit 4.5 dwelling units per gross acre. A total of 5.46 acres; primarily located upon the B-3 portion of the site, shall be designated as Natural Resource District. The required open space for this project totals 2.17 acres. Fifty percent (50 %) or 1.09 acres of the open space shall be suitable for active recreation, or active open space. This plan proposes 1.27 acres of active open space. The proposed configuration of active open space is difficult to access and utilize. The active open space shall be reconfigured to maximize its usefulness to the entire subdivision. A Forest Stand Delineation (FSD12-004-1) has been reviewed and approved by the Department of Planning and Zoning. A Forest Conservation Plan shall be required prior to preliminary plan approval. A Landscaping and recreation plan shall be submitted to the Department of Planning and Zoning prior to preliminary plan approval. There are streams, and wetlands located on the proposed site. Streams shall receive a 75' buffer from the center-line of the stream. A 75' buffer is required from the edge of each identified non-tidal wetland. No NRD (Natural Resource District) may be located on the proposed lots. No forest clearing is permitted within the NRD or associated buffers at any time for actual home construction. Forest Retention areas may not be located on any of the proposed lots. A Homeowner's Association (H.O.A.) must be established for the ownership and maintenance of the stormwater management facilities and the areas of open space. Areas of open space shall be accessible to all residents of the community. A Traffic Impact Analysis shall be required prior to preliminary plan submission. Traffic count data must be performed during the school year. Questions may be directed to Mr. Alex Rawls of the Department of Planning and Zoning. He has comments from Parks and Recreation. This is from Paul Magness. This 28.47 acre property is zoned B3 and R2. Development being proposed is 69 single family lots conventional with open space. The plan required 2.17 acres of open space with 1.09 acres of active open space. The plan proposes 12.07 acres of open space and 1.27 acres of active open space. The odd shape of the .71 acre area of active open space in the center of the development raises concerns about the usefulness of that area. The recreation plan must indicate the improvements to be located in the active open space areas.

Mr. Seward said he is right across the road from where this is going to happen. His concern is they have one entrance and one exit, as he understands it. During rush hour traffic, how are these people going to get out of there and make a left hand turn going south.

Mr. Zeller said for the proposed access to Harford Road, they will have to improve the road. They will have to widen the road to provide left turns and right turns in and out. That will be part of the approval of the site.

Mr. Seward said that action would encompass how far up from the entrance to the proposed development.

Mr. Zeller said the width of the road.

Mr. Seward said in other words they are going to widen the road. There is a ditch on the other side of his road. He doubts they are going to be able to widen on that side. They will have to come in front of his house and further reduce the value of his house.

Mr. Zeller said if they own a right-of-way on the side and State Highway Administration doesn't own right-of-way on the side where your house exists. You are opposite where they are proposing their access?

Mr. Seward said yes.

Mr. Zeller said they will have to widen their side, if they can't widen on your side of the road. They are going to have to widen the road in order to provide adequate turn lanes in and out of this site.

Mr. Seward said his question is how far of a distance from the entrance on Harford Road with that widening be.

Mr. Zeller said he thinks if it is a 40 mile an hour road, it is going to be several, 100 feet on either side of the entrance for acceleration and deceleration, left turn lanes into the site. As he said if there is not adequate right-of-way to provide the widening along Harford Road on both side of the road, they will have to widen on their side of the road to provide adequate turn lanes for whatever distance they determine based on the speed limit. They are creating a public street. The speed limit is 40 mph along that roadway. They are going to have to provide a 400 or 500 foot deceleration lane. Probably a 250 or 300 foot acceleration lane and a bypass lane or left turn lane as well.

Mr. Davenport asked are there any proposals at this point other then accel and decel lanes.

Ms. DiPietro said they have been anticipating accel/decel lane. But since the TIA hasn't been submitted yet they are waiting on that to be finalized and get their recommendations and discuss those with the County.

Mr. Davenport said regardless those are going to have to occur.

Ms. Carter said they moved out in Harford County from Baltimore County to get away from all these homes on top of one another. All you are doing is taking up all the green areas and building these stupid homes like Fallston Crossing. That is what is going to go in there she is sure. They don't match the neighborhood. Not only that, they had the meeting on the 19th. That Saturday, they were coming from Bel Air pulling into their driveway. He wasn't even in the full driveway yet and she looked out and there was a car that far from her door. It went up on their lawn, knocked their railing down that they have at the end of the driveway. She said her brakes didn't work. She had to back up and stop. Her boyfriend came with her brother. They got in the car, backed out and went home. That is not the first time. They have had cars come up in the middle of their lawn, almost hit their trees. They stop. They have to get a truck to pull out. Nobody ever comes back and fixes what they did. Mailboxes are knocked down all the time.

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Their mail is in the driveway. They come home, the box is there and the mail. People go too fast on Harford Road. They don't pay attention. They are either on their cell phone or watching the kids. They all of a sudden see a car stopped and they pull on the lawn. They don't need more traffic on Harford Road. It is terrible. Like she said, they wanted to move out in the country to get away from all that growing. You just allow it. But if you have the money, like these builders have, they get what they want.

Mr. Davenport said the property is zoned R2/Urban residential. It has been zoned that for probably 30 years.

Ms. Carter said they have been out there 50.

Mr. Davenport said it recently was put in the Master Land Use Plan. But they still have some issues they need to address. Mr. Ivins has recognized that they need to be put into the Sewer Service Area before they can extend approval of the project. They obviously recognize Harford Road as exceeding the speed. People do not drive the speed limit there. They recognize that. State Highway recognizes that. They will do whatever they can do. They can't change people's character and their driving habits. They can do what they can engineering wise to try to change those driving habits but for certain people there is nothing they can do to facilitate that. They are required to do a Traffic Impact Analysis per the code.

Ms. Carter asked how long will they do that because the traffic in the morning and evening are terrible and the buses aren't running now. The school kids aren't driving now like they are most of the time.

Mr. Davenport said they recognize that. They are required to study. That is why they are in the concept phase now and then the traffic impact analysis will have to be done during the school year. The trip generations. The trip monitoring. They look at am and pm peak. They look at Saturday peak hours.

Ms. Carter said to her just one entrance, that is hindering the emergency vehicles. That is not good at all.

Mr. Davenport said they are showing a monumental entrance which gives you two entrances. The exit and the entrance, they are separated. In the case of emergency if something falls in one there is another entrance there. They can go out the in door, so to speak.

Mr. Williams said he is the chair of the Fallston Community Council. He has a brief prepared statement. He is here this morning as the Chair of the Fallston Community Council, regarding the proposed Hamilton Reserve development. He attended the Community Input Meeting held by the developer and took note of the concerns raised by the citizens in attendance. Obviously those property owners adjacent to or in close proximity to Hamilton Reserve have concerns about their water and septic systems, and what impact this project may have on them. From a community wide standpoint, the most common concerns was traffic safety along Harford Road and the impact on same by this development. These were items that could not be fully

answered at that time, due to the traffic study not being finalized. He would expect that with the results of the traffic study, the SHA will make or require appropriate safety improvements to Harford Road. The community will be paying close attention to this concern. As a veteran member of the fire and emergency services, he also has concerns related to general fire and emergency safety within this new community. These concerns include limited access to the community. The design of "Exclusive" communities, with only a single entrance/exit creates undue challenges and difficulties for emergency services, both in situations involving firefighting operations and evacuation scenarios. A second means of ingress/egress, even if only for emergency needs is highly recommended. Potential for dead end water mains if service is run in from West Grove Avenue. More efficient for all if developer is required to extend existing service along Harford Road from Connolly Road to Milton Avenue providing a loop within the planned development while also increasing the number of hydrants along Harford Road and a loop for the entire system in this area. It would be prudent to require sufficient diameter of water main to develop adequate gpm flows for potential fire load in this new community. These are the first two issues that he could see from the limited info provided at the community input meeting. With the Code revisions that mandate residential sprinklers, they know that tradeoffs include reduced separation between structures and reducing fire spread ratings of construction materials. The limited access and potential for less than maximum efficiency of the water mains in gpm delivery can create conditions that are detrimental to efficient firefighting efforts in these communities. Thank you for your time and considerations. That is the end of his written statement. Specifically, as Ms. DiPietro has stated, they are looking at one means of ingress and egress to Harford Road. It wasn't too long ago in everyone's memory, they had a small tornado come through the area just to the south of here. Fortunately, the residential area was spared the majority of the structural damage but the commercial district was hit the hardest as far as structural issues go. It wouldn't have taken a whole lot for Milton Avenue to be blocked by the tornado. If that was the only way in and out for the Fallston Crossing Community, some homes would have been isolated for who knows how long. Fortunately when Fallston Crossing was built Milton Avenue was allowed to be extended from Harford Road to Bel Air Road and even though they shut down Bel Air Road for an extended period of time, all those residents were still able to have both their own casual access and have access for emergency services if needed to be coming in off of Harford Road. For Hamilton Reserve that would not be the case. A tree goes down across the main exit at Harford Road, those 69 residences will be cut off from evacuation, from access from emergency services and the utility company. There is an easement out to West Grove Avenue. They are told it is only an easement for utilities. He thinks it needs to be explored to make that another way into that neighborhood even if it is only for emergency access. It needs to be looked at. In addition, their water needs to provide for emergency purposes. They have a main running along Bel Air Road. They branch over to West Grove. What are the diameters of those mains, can he ask?

Mr. Ivins said 8 inch.

Mr. Williams said through the commercial district, are they 8 inch also?

Mr. Ivins said along Route 1 they are 16.

Mr. Williams said then it branches to an 8 over to West Grove.

Mr. Ivins said correct.

Mr. Williams said what would it be coming into Hamilton Reserve, do you know? 8 inch mains. What is the flow off of that? Here is the problem. Even though these houses will be sprinkler protected, they will be residential sprinkler protected as would be permitted after July 1st of this year. What they have found in the fire fighting community nationwide is the tradeoff the building industry receives to agree to residential sprinklers allows for shorter setbacks and such. Do you know what the setbacks would be?

Ms. DiPietro said side yard is 6 feet total of 20.

Mr. Williams said 6 feet to the property line.

Ms. DiPietro said yes.

Mr. Williams said they could be 12 feet apart.

Mr. Davenport said potentially.

Mr. Williams said ok. It doesn't take much of a computer genius. You can Google various keywords. In Northern Virginia they have had numerous issues and New Castle County, Delaware they have had numerous problems with development like this going in. These houses, once you have a fire that starts on the outside of the dwelling, the exterior building material essentially is vinyl. The outer exposure to the adjacent dwellings 12 feet apart is immense. Prior to the arrival of the first fire unit it usually has involvement of 2 or 3 dwellings for the exterior. 500 gpm standard is not going to cut that. They are depending on a single 8 inch line that is a dead end main coming into this community, you are putting the fire department behind the 8 ball before they even arrive. You are going to lose multiply dwellings if that is the scenario that they have. If they can extend the water line from Connolly Road, down Harford Road, to Milton Avenue that would do several things. That will allow them a looped system which will maintain and higher pressure than a dead end main coming in through West Grove. It will allow for additional hydrants to be along Harford Road. If they don't do that, once they pull into this community and start tapping off of the hydrants in that community they have nowhere else to go for water. They can't put multiple pumpers on a dead end main. They are looking to have the main extended down Harford Road, additional hydrants placed along Harford Road, at least an 8 inch main there, looped back to Bel Air Road and the lawyers can justify the potential for the close spacing of the dwellings. To the panel, with the development envelope expanded with the adoption of the Master plan, can anyone sitting here today tell them where does the development envelope end along Harford Road between Connolly Road and Milton Avenue? Does it end at the east side of Harford Road, the curb line, the yellow line? Does the Development Envelope extend to the properties that are situated across Harford Road from the proposed Hamilton Reserve development?

Mr. Davenport said he is not looking at the Master Plan. But he believes it is Harford Road. Ms. Bruce, he believes you would know better than he would.

Ms. DiPietro said she believes it is Harford Road down to 152. It is encompassing this.

Mr. Davenport said south of Harford Road.

Mr. Williams said the properties north of Harford Road would not be included in the Development Envelope and would not be permitted to have the density.

Mr. Davenport said not at this time. Not in the current Master Plan.

Mr. Williams said that is another concern for water issues. If they were to allow that are they going to try to tap off of a dead end main coming in to Hamilton Reserve.

Ms. Bruce said to answer the question about the Development Envelope. It is very unclear from the minuscule maps that got issued with the Master Plan. She has been verbally told that it is within the boundaries that are specified, which is 147 to 152 to Route 1. However, there are some properties across 147 that were already in the Development Envelope. According to the previous comment about the loop, she was told the primary reason for expanding the Development Envelope in the Fallston area was because there are houses near 152 that have been there since before the Zoning Code existed. They all want Water and Sewer. The council had been approached by people in that area saying that they wanted Water and Sewer. That is the main reason the area was expanded. Frankly, she has heard not one peep from anybody anywhere that any of those people are now asking for the water and sewer they presumably said they wanted. Instead less than a month after the Master Plan was approved this proposal showed up. It is very expensive for those older homes to try to connect to Water and Sewer right now because the lines don't go anywhere near them. The advantage in the new code as previously described and what she was told was the purpose, it wasn't for new development. It was to help the people who were already there. The best way to do that, also for water pressure and issues that were previously discussed, is to run down 147 and through that area around 152 and tie back in. That will reduce the tie in cost for the people who are already there. This as presently shown doesn't help them in the least. They should consider them. On a second topic, she heard the term environmental site design used in terms of stormwater management. Perhaps it is too early for it to be here but when she sees a bunch of stormwater ponds, she gets kind of worried because one of the benefits of the new stormwater rules was that properties were suppose to be handling their infiltration where the rain landed. Are there going to be rain gardens and swales and other environmental site designs in here? They just aren't shown yet?

Ms. DiPietro said actually Harford County has expressed that they would prefer them not to have on lot ESCs. So they are proposing bioswales and those sorts of things on the spots behind the lots and most locations along here. In addition, these aren't the ponds of the past. Harford County has instituted an additional quantity policy over and above the ESC that is not specified in the MDE regulations. It is a reduced quantity from what they are use to before but they are required some quantity management in addition to the ESC regulations.

Ms. Bruce said she assumes then these would be at the low point of the property.

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Ms. DiPietro said yes.

Ms. Bruce said she is concerned that the two biggest ponds are right at the 147 road and the entrance to this which there could be overflow and one more problem getting in and out of this location. If as periodically happens, they have had storms recently that have flooded out sites that normally don't flood, what happens if the water from this comes down and freezes over night on that road. That seems to be an issue that should be considered. Maybe it needs to be moved further in to the development.

Ms. Carter said a quick thing about the water and sewage. Most of that neighborhood doesn't want it. They have 3 ¼ acres and it is all frontage. That would be a heavy burden for them.

Mr. Davenport said they wouldn't require anybody to connect that wasn't failing.

Mr. Walinski said not at all. Unless it is failing and it cost more to fix a sand mound system. If you are going to spend \$30,000 for a sand mound septic system, it may be more logical to connect to public water and sewer in a case like that. But other than that they would not require somebody to connect up.

Ms. Sauers said Ms. Bruce covered two of the points she wanted to express. About the development, it would be a good use of that old farm to have some houses there rather than expand business and retail business down Harford Road. However, 69 houses on 27 acres is absolutely unthinkable. She was going to address Mr. MacLean's concerns and the Fallston Association about this one entrance idea to a heavy populated area. That is unthinkable and she thinks she is a pretty reasonable person. She has lived at 1913 Harford Road for 51 years. They have had these arguments before. Before other DAC Committees, they don't want to be bothered with a lot of extra traffic on Harford Road. They cannot afford to be forced to hook up to water and sewer. The issue of schooling she would take to the representative of the Board of Ed. They know where these 100 children or so might go to school. But Fallston Elementary, Youth Benefit, she believes is at capacity. Do you know?

Mr. Kaufman said it is just below.

Ms. Sauers said how many points.

Mr. Kaufman said 1.

Ms. Sauers said that doesn't make sense. The additional traffic of cars trying to get in and out of one entrance is absolutely unthinkable. She has had to replace her foundation. Her neighbor has had to rebuild her foundation and some windows because of the heavy traffic. Car carriers from 84 Lumber transports come up their lane. Her suggestion is to turn down this proposal because there is a lot of work to do to prepare for that many houses. She may be ugly

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when she makes this statement. But she thinks when the Master Plan was revised to include that area, Harford Road, it was done to benefit the developers.

Mr. Hauer said he would like to show you, there are 3 homes adjacent to the project and then this is an additional 4 homes to the wetlands here. This is a field, with heavy rain his property stays wet for days, weeks, maybe months in the back. He just hopes that you take into consideration the ground water that will be coming through this area. These homes here and with it all being saturated to here. How much you can evaluate and make sure it is heavy rains when you evaluate and not just come out there once with the light rain. He thinks as far as the traffic it has more or less been addressed that Harford Road has a big problem. When he comes home from work, just because he is considerate and he doesn't want to get rear ended, he goes around and comes up. He goes north on Harford Road and pulls in his driveway. Because if he goes south he hears car brakes and he'd hate to see someone get injured because he needs to get in his driveway.

Mr. Carter said you say you are going to run water and sewage up West Grove.

Ms. DiPietro said just water.

Mr. Carter said just water. What are the houses going to have for sewage?

Ms. DiPietro said the sewer is going to run the existing sewer line here and connect right there and along the property line.

Mr. Carter said and the water is going to be run up West Grove Avenue.

Ms. DiPietro said either West Grove or across Route 1.

Mr. Carter said how do you propose to get it across private property.

Ms. DiPietro asked on West Grove.

Mr. Carter said isn't that all owned ground that you haven't acquired.

Ms. DiPietro said it is a private road but there is a public utility easement to connect along West Grove.

Mr. Carter said you can just take it through the private property on the right-of-way.

Ms. DiPietro said the easement allows for utility construction.

Mr. Carter said then you can take and put in an entrance to Utah Avenue like you told him you couldn't do before.

Ms. DiPietro said no. It isn't a public right-of-way.

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Mr. Carter said but it is alright to take it.

Mr. Davenport said there is an easement for utility, water and sewer utility. So they have an easement provided to them.

Mr. Carter said they have gone over the traffic. Nobody has ever mentioned anything about this smog from the traffic, pollution. Most of the houses along there don't open their windows to get fresh air in because of smog and the pollution there. There are cars just sitting in the morning and the evening because they are tied up from the traffic light back past their house. It is right into that area of ground there at times. Even in the morning it is that way. You mentioned about drainage there. Anytime you have any construction you change the ground topography. Where are you going to have the drainage? Right now water runs off that ground over onto Harford Road and when it is a heavy storm, Harford Road is flooded out.

Ms. Sauers said in front of her driveway.

Mr. Carter said right. Then where does that water go. There are 2 culverts that go under Harford Road. One is up at Milton Avenue and it comes east to west. It comes into a stream that is covered over. I didn't know that when he bought his ground over 50 years ago. He understood that you couldn't change any waterways. That runs down through their ground down to behind another place that is being built. That should be running down towards Connolly Road. The waterway from Ms. Sauer's area over is a culvert that blocks up and floods out Harford Road. It goes across Harford Road.

Ms. DiPietro said as part of their plats and going to final engineering process with State Highway they are going to have to do hydrology and proving that they can control water on their site.

Mr. Carter said as his wife had said about the mailboxes. He has had to put up 3 or 4 mailboxes. The last time he put it up, he put up one that was concrete poured in it so that if anybody would hit it, they would know it. Another point was is crime. Is the county going to build a precinct down in Fallston there to help with the crime in the area? He knows they talked about Jones development there. The dealers have had cars stolen and parts off their cars stolen. Even at Fallston Crossing they have had drugs in that area even though there are 2 police that live in that area that he knows of. Mailboxes are destroyed in that area. At one time he understood that mailboxes are federal property once they were posted for mail. It doesn't seem anybody is worried about federal laws or anything either. He will close with this statement. Hear ye, Hear ye, developers, contractors and builders, you are welcome to Harford County. There is plenty of room out in Harford County. And in some places you don't even need permits to build or any other signs of construction when it is more than 1 house being done.

Ms. Wilson said just to piggyback on what everyone is saying, the traffic is her main concern as well. For Hamilton Reserve, to the left of there is property owned by a church, then her neighbors and then her house. The tiny little house right there. She can tell you that during the school season, if she needs to be at her job location at 8:00, she needs to be sitting in her driveway

at 7:15. She will wait there 20 minutes to make a left hand turn. And 15 minutes to make a right hand turn, then she has to go up to Connolly and then down to Route 1. She understands that traffic is an issue and she understands that the homes are going to be built regardless of what they do and what they say. Working with the developer to understand that the homes are putting something that has not existed in that area and the impact it is going to have on the residents that are surrounding this area. She apologizes, she wasn't here for the Community Input Meeting. She doesn't even know who the developer is and who she needs to speak to. She is sure one of her neighbors would be able to share that information. Her point is, what she would like to see, not that the road is widened. It is a cut through road that people try to avoid Route 1. They come to the other side of Route 1 to go to Baltimore County or take that road to Towson University. In this area, in this pocket, they recently have a Wawa, a Wal Mart and now they are looking at a McDonalds and others off of 152. Then today with Ms. DiPietro's presentations of the area., this is going to be inundated by a large amount of people and it is just a simple country road that was made years ago. She would propose to cut down on traffic you put a traffic circle where Connolly and Harford Road meet. That is a 4 way stop area. There have been accidents. Most recently there has been a motorcycle accident where someone was killed. That is a concern for her even trying to get to her own home. Recently, they put marks within the yellow lines. She guesses to wake people up. She is not sure who did that but she can tell you when everyone is leaving the bar district of Bel Air at 2:00 in the morning, that is all she hears while she is trying to sleep. She is not sure who came up with that idea but she wants to record it and play it for them when they are trying to sleep. What she would like to do is see speed bumps on this road, if possible. There are children that are in the area. They have people who use Harford Road, that walk from Harford Crossing up to the Wal Mart. They walk along that for recreation. That is the only thing that she can think of in living there for almost 13 years and witnessing that. Speed bumps would help and definitely the traffic circle. She would also like to see that there is a separate entrance out to Bel Air Road. Mr. Williams had a very good point. They were impacted by a tornado. She can tell you that coming home from work that day, you couldn't go down Route 1. Everybody was using Route 1 to go through Fallston Crossing and that was about a 45 minutes wait to try to get through that little bit to her home. If you only have one exit, she understands it is private property. If you can't put an easement into Route 1, she would really somehow look at that before you go through with it. Another thing she is thinking about is the construction, the noise and the dust. They never open their windows. It is a smog area because everyone is sitting idle, especially with the traffic going to 84 Lumber and Jones Junction. It is an environmental concern there. She is just wondering about the development dust and the noise pollution. And the existing buffer. She doesn't want to look over and see a bunch of homes. What kind of trees and is there some kind of landscape design. She believes not. They are wondering if there are plans for indigenous trees, conifers, something that is a tree blocker away from that set of homes that runs between Milton Avenue and where this proposed site it.

Ms. DiPietro said they will be required to put together a landscape plan before the next phase. They will come in for a preliminary plan which will come back before DAC. There is a lot more detail required. As far as buffer yards and there is a buffer yard between the R2 and the commercial zone here. But this property is also zoned R2 so there isn't a buffer yard per say requirement. They will have to provide a detailed landscaping for their next submittal.

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Ms. Wilson said how do they get access to the study and what is proposed, for the traffic study and also the landscaping.

Mr. Davenport said Mr. Vacek is the planner for the project. It will go through Concept Plan and preliminary plan. You can contact him. You could do email or phone. As you go out there is a subdivision counter. They can give you a copy of his card with contact information. If you can't get that go through the webpage. You can call the number that is on the sign out there.

Ms. DiPietro said as far as the noise and dust. They are required to dust control during construction. And Harford County limits the hours that they can actually work.

Ms. Sauer said do you think the electric supplied to this proposal will be underground.

Ms. DiPietro said yes.

Mr. Carter said to the State Highway. Could you take and have the State pay to put signs at each person's driveway, "Do not block driveway"? So they can get out. At times they have to wait until maybe a nice young lady comes along and she will wave them out. Men won't do it. These kinds of developments are being built, they wouldn't be found in the Glenangus area and they wouldn't be out in the other part of Fallston.

Mr. Zeller said he doesn't know if you want him to respond to that.

Mr. Carter said you put signs up for everything else.

Mr. Zeller said it really would be on an individual basis. If you were to approach district 4 and ask them to put the sign up. His office deals with the entrances and road improvements. They are in contact. Part of the review of the project is the signs and striping for the access permit. They will review the plan as well. As far as the plan, whether or not they will put signs up on individual lot, he doesn't know.

Mr. Carter said it could be another thing the cars can knock down.

Mr. Zeller said it is like a calming device.

Mr. Davenport said a traffic calming device.

Mr. Carter said there was a pole on the edge of their ground that was support for the wires coming across Harford Road. A car took that out one night. They had Harford Road blocked up. Not only traffic during the morning up to about 9:00. After 9:00 it starts dying down. But then traffic starts up again around 3:30 in the afternoon and continues to about 6:00. At midnight, if you have your windows open, he doesn't know anymore or not because he hasn't heard it recently. But they use to come up doing wheelies in the middle of Harford Road at night.

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Mr. Minardo said he wants to thank the committee for letting him have this chance to speak. Most of the things have already been said. One entrance is not enough. Fallston Crossing has 2. Fallston Crossing doesn't realize that instead of people going around to make the loop to get into their property, they are going to be cutting through Fallston Crossing. That is jeopardizing the children because they play in the front street. This is one thing. The other thing is there will be houses there. There could be a lesser or a greater thing here. They could have put townhouses in. You could have water and sewage that you are supplying to them. That impacts the problem. You are talking 69 or 70 houses. He uses 70 because it is easier for him to figure this out. You are going to have 2 or 3 cars. You have 150 to 180 cars roughly that are going to be going in and out at prime times. It needs 2 entrances. As far as widening the road, his side of the road is going to be open. He is a little farther down. He is not on the map exactly. They just put new utility poles on the side of Hamilton Reserve. They are not going to move those poles again. It is going to be his side, which makes his property even less valuable because they would have to widen that side. They would put that road right on his front porch.

Mr. Zeller said he doesn't see how that can happen. They are not going to have to widen up to the front porch. There is no way they would widen that far in front of your property so that it would be on your front porch. If this entrance occurs and for the amount of houses that are there, SHA is going to be reacting to this proposal the same as everybody else. Their job is to try and provide safe and efficient and operational entrance to and from a State Highway. You said they just moved the poles. If the requirement is to widen the road, they will have to move the poles. That is what they will have to do. Not maybe. They are going to have to provide a safe and operationally efficient access to this site. That is no question. From their perspective, that has to occur. SHA is just responding to this proposal as well. Once they have the opportunity to review a traffic impact study, he is sure the fact that so many people have mentioned that is one entrance is not enough. That is certainly something that should be taken into consideration. He is sure it will be when everyone reviews the traffic impact analysis. That is all he can say. It is really not up to him. He doesn't like it or not like it. It is not his place to say. They are going to look into it and review the traffic analysis and do their job the best they can.

Mr. Minardo said he agrees with Mr. Carter on the problems. He has had cars on his front lawn. Nobody ever comes back to repair the lawn. One time he was standing on his property and his next door neighbor was with him. He had the other car on his property and fortunately he has 150 feet from the road to his house. If he didn't have that, they would hit his house. The State Trooper came up and approached him and said, "Are you involved in this accident?" Mr. Minardo said, "No." He said, "You need to move on." Mr. Minardo said, "This is my property. I would like to know who is going to pay for repairing my front lawn." He said, "It is called grass seed." Mr. Minardo was ready to get in his face. His neighbor pulled him back. It was another situation. The speed is extremely too fast. Motorcycles, he has seen those guys carry their front wheels 100 feet or better doing 80 mph on that street. Speed bumps wouldn't be the answer because that would slow the traffic up and it would make it even worse. You could never put a circle up by Connolly Road in that one area of Harford Road because the tractor trailers and the hauling trucks could never make the tight little circle to go in there. People would lose property. It is a real dilemma for you and for the Council itself. If water would go in the loop to increase the water for that area, for the Reserve for them. Because of the pressure problem. Bringing the water in, why

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can't you make it a 10 or a 12 or even a 16 off of the larger pipe coming in that way then trying to go all the way down Harford Road? If water came down Harford Road, he doesn't have to hook up to it. Can he have that in writing?

Mr. Walinski said they usually don't give that kind of stuff in writing. You won't be required to hook up. What would be the purpose? Why would the Health Department do that? If you had a well that dried up and you can't get water, then you might want to hook up to public water. Or you have a septic system that cost \$30,000. It may be more cost effective to have public sewer. Other than that they don't require you to hook up.

Mr. Minardo said that well he has was put in in '98. It is 200 feet deep and a pickup of 175. When they drilled the well they hit water at 50 feet. There are so many spring underneath Harford Road right there it is unbelievable. The septic system, that was put in in '94. He maintains it. He has it pumped out every 2 years. People have problems with septic, half the problem is that they don't maintain them.

Mr. Walinski said that definitely is true. Most people don't pump them out on a regular basis. That happens all the time. They see it all the time. That is why they are so busy doing repair percs even at this time of year. Typically they don't have failures. They have failures everywhere. People aren't maintaining. But no, they don't require you to hook up to water and sewer because it is across the street.

Mr. Minardo said he would love to have that in writing.

Mr. Walinski said you can contact his boss and see if you can get it in writing.

Mr. Minardo said he will do that.

Mr. Carter said the highway. Is there only a 10 foot right-of-way that the State has from the center line?

Mr. Zeller said he is not sure about that.

Ms. Carter said that is what they were told.

Ms. DiPietro said there is actually not a State right-of-way along Harford Road. The State has a restrictive easement over the road and the drainage of the road to do maintenance. Presently there is not right-of-way.

Ms. Carter said they were told it was from the center line in 10 feet.

Mr. Zeller said he can also tell you that along this property frontage there is a restrictive right-of-way there, any improvements that are required along Harford Road/147, they would ask that that property be dedicated SHA for that road improvement. So that the road would be within SHA right-of-way because they are going to maintain it. He doesn't really know what they own

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along there. He is only responding to the same thing that you are looking at. As a representative of the State Highway Administration they are going to look into it to make sure that the entrance is safe and operationally efficient. That is what they are looking at. They don't have a stake in whether or not it happens. It is not up to them. They are going to react to it. And provide an entrance and road improvements that are consistent with the current standards.

Ms. Bruce said she heard that there might be a traffic circle going into Connolly and 147. The other week that the house that use to be there is gone. Can you speak to that?

Mr. Zeller said it is his understanding that there were plans to put a traffic circle at Connolly and 147. He understands that there is money to do that. He doesn't think there are plans for it to move forward at this time. There seems to be a lot of concerns about that. He knows that at one time SHA did do plans for a roundabout at Connolly and 147. He thought it was a county project. It may be a capital project for the county to construct that roundabout but to his knowledge it is not moving forward at this time.

Ms. Carter said a couple of years ago Euler and Deigert were looking at senior housing in that area with some private homes and they couldn't get water and sewage to Bel Air Road. How come all of a sudden that has changed now?

Mr. Davenport said they still have to be put into the Master Water and Sewer Plan. That was the issue then.

Mr. Ivins said they weren't in the Land Use Plan.

Mr. Davenport said they weren't in the Land Use Plan.

Mr. Ivins said that changed in the last year.

Mr. Rayman said are they planning to take water down Harford Road. They are the red haired step child when it comes to everything. It took them 10 years to get cable across the street. He can't get gas across the street, so he has a 1,000 gallon propane tank. But they are the red haired step child on Harford Road. They always have been. They are trying to find out what is going on with the water and this roundabout. There are no particular plans for that. He has a construction business. He has no idea how he is suppose to get through there with a truck and a trailer if they put a roundabout in.

Mr. Davenport said there is no water planned on Harford Road.

Ms. DiPietro said not for this.

Mr. Davenport said will they extend it to Harford Road.

Ms. DiPietro said no.

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Mr. Rayman said they won't let them change the zoning of his property that is on Connolly Road that connects with all of his other stuff. He is landlocked in the middle and here he is again the red haired step child.

Mr. Carter said he would like to ask the school board. Is the school in the Fallston area suitable to handle more children from this development?

Mr. Kauffman said there is an excess capacity at Youth Benefit.

Mr. Carter said they had understood that a woman had questioned you last time that she wanted the child to get into Fallston Elementary and it was completely packed.

Mr. Kauffman said he is not familiar with Fallston Elementary.

Mr. Carter said Youth Benefit.

Mr. Kauffman said he doesn't know that situation, so he can't respond.

Mr. Rayman said at 1710 Harford Road, how are they getting water across the street?

Mr. Ivins said for 1710 Harford Road there is a water main on the main road there. It is on the opposite side of the street. They are going to construct a service under Harford Road to service the property.

Mr. Rayman said so again because he is not zoned residential.

Mr. Ivins asked where specifically is your property.

Mr. Rayman said right next to that lot.

Mr. Ivins said you have access to public water.

Mr. Rayman said he does.

Mr. Ivins said if you are between Route 1 and Connolly Road on Harford Road there is a water main he thinks that goes all the way to Connolly Road and turns down Connolly Road back to Route 1.

Mr. Rayman said really.

Mr. Ivins said yes.

Mr. Rayman said there is also gas there.

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Mr. Ivins said he doesn't know about gas. He can talk about water and sewer. If you would like to connect to water or sewer system they are off Harford Road.

Mr. Rayman said he is on public sewer.

Mr. Ivins said contact their office in Harford County. Tell them what you would like to do and you will probably have to hire someone to do the connection for you. But people in their office will actually give you that information.

Ms. Wilson said well water. They are all pretty much on well water from Fallston Crossing up to where the new development is on both sides of Harford Road. What happens if during construction, which recently happened to a friend of mine, the homes were built and somehow it affects their wells? Will the developer pay for that? Or the county? Or is she stuck with that bill?

The audience said you are stuck.

Ms. Wilson said for her home if you are going in 30 feet, her home is very close to Harford Road. If you are widening that road she literally will be on the road.

Mr. Zeller said are you on the corner.

Ms. Wilson said she is on the same side as Hamilton Reserve. Is that something your office would provide before you move forward? She knows you are talking about entrances and exits and safety. When would you tell them when it would be widened? How far?

Mr. Zeller said they are going to tell them. SHA is not going to widen the road. SHA will require the widening of the road for this entrance. When SHA tells them. If you want to contact their office as well. They can keep you inform as this progresses.

Ms. DiPietro said your property is about 800 feet from the site entrance that is currently proposed.

Mr. Zeller said he rather doubts that will reach your property. Are you south of the entrance?

Ms. Wilson said yes.

Mr. Zeller said he doubts it will come your way.

Mr. Carter said could they ask the people of Harford County to do something for them at this time. Because they pay taxes but you don't provide any service to them except the highway administration is the only one that services their road.

Mr. Davenport said it is a state highway. They have no authority on MD 147.

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Mr. Carter said for zoning they are asking for help. For construction they are asking for help.

Mr. Davenport said they will review the project and make sure they comply with all the county laws and regulations, sediment control, grading, stormwater, water and sewer.

Mr. Carter said if the builder doesn't need a permit to build houses on Harford Road. He guesses he could build on his ground a couple of houses on an acre of ground.

Mr. Davenport said as far as he knows you need permits to build homes.

Mr. Carter said oh ok. He needs a permit.

Ms. Carter said right across the street from that they are building 4 houses in that little area. They haven't seen a permit or nothing on that property. And the sewage, they are going to have some kind of system that goes back and up behind their property. Where is it going to go? It doesn't perc. It is going to go to the top and run on them.

Mr. Davenport said those plans have been reviewed and approved by the county. You are welcome to review those files.

Ms. Carter said how could they approve that. It is a small area.

Mr. Carter said 4 houses. Isn't that a development?

Mr. Davenport said 4 houses, he believes, on 70 acres.

Ms. Carter said but it is all right there in the beginning of the road.

Mr. Davenport said he would be glad to show you the plans and how it was approved and under what circumstances.

Mr. Carter said that ground in back of their house...

Ms. Carter said never perced.

Mr. Carter said it never passed perc for over 50 years. Cattle were in it when they first moved out there.

Mr. Davenport said that is not true. It did perc.

Mr. Carter said oh yeah. Diegert has dug holes in there. He wanted to build houses for his family and all and it wouldn't perc.

Mr. Davenport said all he can say is it did perc and it passed guidelines for percolation correctly. It is a recorded lot in Connolly Farm.

Mr. Walinski said if it is a recorded lot, it perced. It meets all the subdivision regulations. He doesn't know what you are talking about but it did perc. Mr. Davenport isn't going to approve anything if they don't approve it. He doesn't know anything about that either.

Mr. Carter said we do.

JAMES RUN – LOT 6 – FAST TRACK

Located on the west side of Creswell Road (Route 543); north of I-95. Tax Map 57; Parcel 356; Lot 6. First Election District. Council District F. Planner Shane.

Plan No. S12-077 Construct Lodging House's for 686 rooms' w/clubhouse & pool; 14.28 acres; MO.

Received 06-20-12 Bren Mar I LLC/JR Lodgings LLC/ Morris & Ritchie.

Paul Muddiman of Morris & Ritchie presented the site plan. They are here today to present the Lot 6 for James Run. Kevin Carney from the James Run Lodging is also here. James Run is 111 acres located on the southwest corner of I-95 and 543. It is zoned MO. They are here to talk about Lot 6 only which is 14.28 acres on the west side of the property. A community input meeting was held. Lot 6 is recorded and approved for 136,000 square feet of retail. The amendment today is to change Lot 6 to a 386 units of lodging house in place of those 136,000 square feet of retail. For parking purposes, Lot 6 is 686 rooms, this is a copy of the site plan, which provides for 694 parking spaces. Again Lot 6 is in this area and the lodging house is designated on this plan in the blue color. They have 3 access points along Strasbaugh Drive. Strasbaugh Drive has direct access on MD 543. Three access points are shown on the plan. The main access point is in line with Gallery Street here and it is part of a walk able project where these folks can stay at the lodging house and walk to the retail and office portion of the project. Lodging house will be available for leasing various lengths of stay. Units will not be offered for sale or purchase in fee. A single entity will own and manage the project and the owner and Management Company will maintain all parts of the project including exteriors and interior of the building as well as the road and infrastructure. Lot 6 will be served by a single serve connection and a master water meter at the property line. All the infrastructure inside of Lot 6 will be privately owned. The club house is the focal point of the project. It will include a swimming pool, fitness center, locker rooms, business center with personal computers and printers, a lounge area, outside barbeque, dining pavilion, conference room, indoor kitchen and billiard room. This board indicates a few images of those items. A full business center, a billiard room, fitness center, a conference room and a lounge area. That will be housed in the club house. Personal services will include concierge, 24 hour maintenance and bike rentals, and available will be dry cleaning, FedEx, and car service. These are amenities are found in many resort style hotels. This is what the elevation of the club house would look like. The floor plan of the club house and a blow up of the amenities on the outside of the clubhouse. This would be the 4 story villas here. This is a floor

plan of the 4 story villa. You have a main lobby, which will be included with furniture, an elevator and a single corridor running down the stairwell. Also, wireless internet will be throughout the project. The exterior will be made up of brick stone and cement fiberboard. Lodging house will cater to anyone in need of temporary housing including families, corporate travelers, military contractors and BRAC relocations. They estimate the connection fees for this project to be over \$3.7 million. Permit fees will cost over \$40,000. Other review and inspection fees will be over \$20,000. The stormwater management plans have been approved for this site. There are plans to amend those as necessary.

Mr. Carney said it will be in 2 phases. It may be 2 entities. The same management but it may have different partners in Phase 1 and Phase 2. He won't build them all at one time.

Don MacLean - Volunteer Fire and E.M.S.

Will the main lobby entrance to these buildings be locked?

Mr. Carney said yes. They will be. They will have keyless access by a code or special magnetic field.

Mr. MacLean said a Knox Box must be installed per N.F.P.A., Part III, 3-6, rather than a lot of codes. A Knox Box we have one key that will work all Knox Boxes.

Robin Wales - Emergency Operations

The Club house address should be #2701 Strassbaugh Drive, Building 1 should be #2713, building 2 #2725, building 3 #2711, building 4 #2723, building 5 #2709, building 6 #2721, building 7 #2707, building 8 #2715, building 9 #2719, building 10 #2712, building 11 #2705, and building 12 #2703 Strassbaugh Drive. These addresses will work if displayed properly and approve by Planning and Zoning. Emergency Operation is requesting the proposed buildings to display 8" – 10" address numbers and letters and if not 24 hour operation, must have a list of 3 emergency contacts, which should include maintenance personnel, for notification, response, and securing purposes. "Public safety wireless radio communications inside a building is essential to the safety of those occupying the structure as well as fire, law enforcement and emergency medical providers responding to a call for help. Buildings that are greater than 5,000 square feet, higher than 50 feet, contain underground storage or parking and are constructed of material that impede wireless radio signals may adversely affect the response of public safety providers. Please consider including wiring, electrical connections and other infrastructure that may be needed for an in-building 800 MHz amplifier. Emergency Operations will test coverage in your facility once construction is finished. Call 410-638-4900 for this assistance."

Patrick Jones - Harford Soil Conservation District

Has the footprint changed any from the retail to what you are doing now for sediment and erosion control purposes?

Mr. Muddiman said the square footage has not changed.

Mr. Jones said you say you already have an approved set of drawings. You will need a builders phase at some point.

Len Walinski - Health Department

1) The building to be razed will require a demolition permit that is secured through the Department of Planning and Zoning. All aspects of the demolition work must be reviewed, approved, and completed to the satisfaction to the Health Department. This includes but is not limited to the abandonment of any wells and septic systems, asbestos, underground storage tanks, hazardous materials, etc. 2) Swimming pools require specific permits and oversight from both the Harford County Health Department and the Maryland Department of Health and Mental Hygiene. I have more details in my letter about what to do. 3) If a snack bar or food service is planned, review will be required from the Health Department's Division of Food Control. 4) Control Dust.

Darryl Ivins - DPW - Water and Sewer

His office has some comments that will be issued as conditions of site plan approval. He is sure all the comments he makes you are already aware of the work that needs to be done to finalize the drawing for Water and Sewer. Since the type of unit that is proposed on Lot 6 is different than what was originally proposed, the computations for the sizing of the water tank, water booster station, water mains, sewer mains and the sewage pumping station must be adjusted. The construction drawings must be revised and reapproved by the Division of Water and Sewer. Any water and sewer contract drawings that require revisions to the plan and profiles or computations must be resubmitted for a complete review. After all comments have been addressed, a new set of mylars shall be created for final County approval. This work must be performed before the Record Plats may be revised. There are multiple water and sewer projects that must be constructed before the first unit on Lot 6 may connect to the public system. An overall water sewer project phasing plan must be submitted which shows all of the major milestones for each project. The aforementioned phasing plan shall be submitted with the revised construction drawings for review. The water main between the water tank and Strassbaugh Drive must be resized and the construction drawings revised accordingly. "James Run Phase 1" Water and Sewer drawings must be revised and resubmitted for a complete review. After review and approval by the Division of Water and Sewer, a complete set of new mylar drawings shall be submitted for county signatures. Since many of the utilities will now be privately owned and maintained, the plat containing Lot 6 must be revised to adjust or remove the easements. Upon completion of the privately owned onsite water and sewer mains for Lot 6, the Division of Water and Sewer requests that an electronic copy of the drawings be forwarded to their office for the permanent records. The Public Works Utility Agreement for the contract that includes the development of Lot 6 must be revised. When the Site Plan has been approved by the Department of Planning and Zoning, a request to have that PWUA revised may be sent to the Division of Water and Sewer. The agreement may be executed once the construction drawings have been revised and approved. A building permit cannot be issued until the public utilities are either operational or bonded for construction. The utilities include not only the mains, but the water tank, water booster station, sewage pumping station and force main, as

well as the offsite gravity sewer mains and water transmission mains. A Commercial Service Application will be required. The water meter sizing computations must be included with that application. He has issued a Water and Sewer Commercial Application number. Their office will be reviewing the landscaping plan at some point.

Mike Rist- DPW – Engineering

A sediment control plan has been approved for this site. A builder's phase plan will be required along with a grading permit prior to construction. Stormwater management plans have been approved. The engineers have to provide verification that his site plan conforms to the approved plan. A stormwater management permit is required prior to the issuance of a building permit. Maintenance of the stormwater management facilities is the responsibility of the lot owners and shall be stipulated in the association documents. Road plans were approved. A Public Works Agreement will need to be executed prior to the issuance of building permits for the site. Commercial access permits are required for the site entrances onto Strassbaugh Drive or the entrances shall be shown on the road plan. All pavement striping and traffic control signs shall conform to the Manual on Uniform Traffic Control Devices.

Rich Zeller – State Highway Administration

SHA has recently reviewed a traffic evaluation for changes on the proposed land use and phasing of the James Run development as depicted on the current plans and concluded that the previously approved traffic mitigation improvements including site access with a traffic signal proposed at MD 543/Creswell Road, and offsite improvements are still appropriate. He references Harford County countersigned approval letter dated 7-16-09 for the Phase I improvements. The current plan does not accurately reflect the southern entrance design previously agreed upon for this development on MD 543. Also, the SHA review of the Phase I design plans for the site accesses and required off-site improvements toward the issuance of access permits has not been completed yet. The southern entrance must be revised to reflect a 20' channelized right-in only. The proposed island should be moved back so that it will not restrict the through movement of the auxiliary lane connection to the SB I-95 ramp. Further consideration of a right-out for this access point would be reviewed and determined base on the current criteria in place at the time that Phase III of this development occurs. He is aware that there are some Federal Highway concerns from issues with regard to interstate access for approval. Federal Highway is probably going to want to review plans for any sort of future consideration of that southern access and improvements that effect I-95. They will look at that at Phase 2 or Phase 3.

Mr. Muddiman said just wanted to verify that they are here today to talk about Lot 6. You are talking about the overall project. The other day they forwarded plans that were redlined that channelized right-in and right-out. He doesn't know if you have that in your file.

Mr. Zeller said he didn't have that in his file but he wanted to say, subject to you revising the plan as they mentioned for that southern entrance, SHA has no objection to the plan. He knows that they are only talking about Lot 6 here but this has to do with Phase 1 improvements which are the site accesses and the improvements that were identified in the study. SHA will

withhold approval of building permits for Phase I of this development until they have completed their review of the design plans and received surety for the proposed entrances on MD 543 and the off-site improvements identified. The reason he brings this up is because this site, what you are depicting on the plan, is part of the Phase I improvements that are being required for this. The rest has to do with the access permitting process that you will be required to fulfill prior to them issuing the building permit. They are saying that they will withhold approval of building permits for Phase I of the development until they have completed their review of the design plans and received surety for the proposed entrances on MD 543 and the outside improvement identified as required mitigation for Lot 1 of the development. The county's approval letter, use and occupancy permits will be withheld until all of the entrances and road improvements required for Phase I of this development are completed. The developer's engineer must submit 5 copied of design plans for the proposed site accesses and related road improvements on MD 543 and for each of the off-site improvements required to the Access Management Division in order for SHA to complete the pre-permit review cycles toward the issuance of access permits. They reiterate that separate access permits will be issued for the site accesses and related improvements on MD 543. He mentioned the SHA Tracking number for that. Off-site Road Improvements is the same thing. Extend the Southbound MD 136 left turn lane by 150'. He gives the tracking number for that. Construct a second Eastbound MD 7 left turn lane at 543. He gives the number for that. They asking that you utilize those tracking numbers for each submittal. Any outstanding comments with SHA be addressed in point-by-point responses when you make your submittals. They included a plan review checklist with your copy of their comments. They don't have any objections. He wanted to make sure that is was clear with regard to the Phase I that are required for it.

Shane Grimm - Department of Planning and Zoning

The landscaping plan is currently under review. Once that is approved and the site plan is approved they will need the bond and surety submitted prior to building permit or grading permit application. They are also still reviewing the site plan and the architectural drawings as well. On any subsequent submittals they will need to have the floodway and hydric soils delineated on plans. They like to put the hydric soil on a different sheet. That would be acceptable.

Mr. Ivins said the layout of water and sewer utilities is very similar to the project that your office has done previously for Reserve at Riverside. He just wants to let you know that the sewer main inspection and testing will probably occur very similar to that. The testing will have to be witnessed by their people for sewer. It will have to be constructed according to their standards and the test provided to them.

Mr. Svitak said generally his concern is that he believes the community embraced way back when this property was zoned MO. The intention was to be an employment center. A place where, the description is pretty good for MO describing well paying positions. The reason the community thought they will go out of the development envelope and accomplish that goal which has long been a goal for Harford County. They understood the idea of hotel conference center. It was logical to have it fold into the office building concept. Reluctantly, very reluctantly, the community saw retail there and got scared. Anyone that has been around in here long enough knows that that site was talked about being a mall and shopping centers. He thinks it is fair to say

that Harford County has plenty of room for retail. They have a lot of retail out there right now. What they have ended up with, what they are going to do, is a form of housing, which the community never intended for that to happen. Now they are into housing and they are still talking retail, which is the thing they very reluctantly accepted. There is no mention whatsoever about any development involved. It is still very hypothetical, very far out there. When he attended the community input meeting, there is nothing on the horizon for office. Generally the concern is that they are drifting over. They are going over to where they didn't want to be. One more time, here they go again. Fooled again. It is a feeling largely by the people. Now in specific, he still does not understand the difference between lodging. They all agree, let's use the word residence because indeed these buildings, people are going to occupy them. It is a form of residence. Just as a motel is or a hotel or free standing house or townhouse is residence. So they are talking residence here. They are using this term lodge. However, these are 3 bedroom, 2 bedroom, 1 bedroom. He believes if he read correctly, these have kitchens in them. They have washers and dryers. This doesn't sound like lodging to him. This sounds like an apartment to him. He is concerned. Indeed, as far as the club house and the swimming pool. These exist in apartment complexes. This is the curious thing that is unfolding here. He still does not understand how this is here. Why this is being considered because he doesn't think residence per say is allowed in MO. He doesn't think it is there. It is curious that a substantial development, if you multiply it gives you so many units, 686 rooms. 366 units. If you multiply that out, you can't figure out because it is one bedroom, two bedroom and three bedroom. If you simply multiply that out in a sense of there is only 1 person in each one of those bedrooms which logically it will be higher than that, that will be quite a number of people. It is pretty dense population of people. He is curious, are they going to be furnished like hotels? Like a traditional lodging house would be. Or are people going to use their own furniture? That seems to be pushing this over to an apartment definition rather than lodging. Also it is interesting, is it not anticipated that there will be no children in this complex. Because the Board of Ed guy isn't here. He doesn't understand why they didn't consider children population for this. He continues to have real questions about this. He is puzzled when he read the description of MO and indeed with the spirit because the MO definition was embraced by the community. Again he thinks they are slipping to retail and housing. That is something that has long existing in the county. He doesn't think they have a need for it. He is concerned they are losing a vital piece of property that has been classified as MO and they are working to be not what they intended it to be.

Ms. Hardy said she attended the community input meeting also in April and followed the plan. She has a copy of the plan. Her intention is to go back to the Mixed Office designation as it was written. She is going to read from the Master Plan. It is an area designed to promote major economic development, including corporate offices, research and development facilities and high-tech services which create significant job opportunities and investment benefits. This area may also include retail uses to service the employment center. Designated at strategic I-95 interchanges, development will be subject to specific performance, architectural and site design standards. When they mentioned that and they found out that there wasn't going to be any offices and that they were going to go with temporary lodging. This is an area that is outside the development envelope but yet was kind of like an overlay. Or a special assignment to the interchanges. In other words it is not like land on a farm. This is really a high area for high-tech services because of I-95 interchanges. According to the bill that was written to incorporate Mixed

Office into their code, Mixed Office wasn't intended to expand the development envelope. They know it was new classification with a unique objective. Mixed Office differs from the residential and business or industrial zoning out inside the development envelope itself. It is outside the envelope. She thinks building lodging houses that look like apartments are in violation of Harford Zoning Code as it turns a major part of the property into a residential use. She doesn't believe there are any more people moving here from BRAC. She thinks it is done. She thinks these lodging houses are apartments. She understands the economy does not necessarily support this employment center anymore. That was intended for MO at the time. But real estate is a speculative business and the law must not be broken just because the market has changed. That was her comments. She has some general question. She will let anyone else talk. Anyone else want to give their input on this project as to why it is being changed to more residential use?

Ms. Bruce said she would like to second what has just been said. The purpose, Part A of the MO section of the zoning code, Section 267-61 is "The MO district is designed to promote major economic development opportunities." This doesn't qualify. "Including corporate offices, research and development facilities and high-tech services which create significant job opportunities" This doesn't. "This area may also include retail uses to service the employment center." There is no employment center yet. Apparently, from what she hears there is none immediately planned. The statement about the development envelope also, "enactment of this legislation shall not serve to open the Development Envelope." Things like office management and pool cleaning are not major economic development. If these go in they are not supporting anything that is going to be in existence on this very special, uniquely zoned property. MO is unlike any other zoning in the county that she is aware of. Normal zoning inside the development envelope is residential, business and industrial. This is separate. It is a particular location for a particular purpose. This does not support that purpose. She thinks the apartment complex of which she believes these to be violates the objective section for MO as stated in the Zoning Code. Which reiterate to promote a mix of corporate offices, defense contractors and support services, science facilities, security contractors, research and development facilities, high-tech services and retail and service uses in desirable areas in the County. Apartments are not even listed here. Residences are not mentioned here. As the earlier speaker said, the community accepted that a hotel might make sense with this number of offices because they are going to have visitor coming. They may want to stay for weeks. That is the way it works. But apartments don't come under this qualification. She is trying to figure out, as was the previous speaker, what is the difference between a residential apartment and the lodging houses. She did some research to figure out if she was missing something. What is the difference between these things and are they apartment or are they something not apartments. First she went back to the Zoning Code. It talks about temporary residences. A building offering transient dwelling accommodations. And it goes on to say how fancy they have to be. It defines transient dwelling as accommodations that shall not serve as a permanent residence in bill 11-32. Clearly the intent was to reinforce the fact that these are temporary. Again the difference between an apartment, which is in normal residential, and temporary has yet to be defined. So she went looking. What is the definition in the dictionary of a lodging house? She got several different definitions. One said it is a rooming house, like a bed and breakfast. Webster's defines it as a building with rooms for people to rent. Rooms. Usually for short periods only. The American word is rooming house. Not being British they better check an American dictionary. The American English dictionary defines is specifically as a rooming

house. A building with individual rooms in it where everybody goes down to a common area for meals and so forth. Her grandmother lived in one for quite a while. Another dictionary defined it as a private home providing accommodations. That would be like their typical bed and breakfast. She figures well this might be in the state. What in the state of Maryland do they have for extended stay for temporary for transient? So she went and checked online at quite a few different locations. She checked Extended Stay America, which is in the riverside area. Homestead Studio Suites Hotel, Suites by Hilton, Residence Inn at Ripken Stadium, County Inn and Suites, Embassy Suites in the Baltimore and Hunt Valley area. Nowhere could she find in the state of Maryland where anything ever had more than one bedroom. Most of them had fewer bedrooms, typically just a sitting area with a bed. She can understand maybe up to one bedroom but when you are talking 2 or 3 bedrooms that is not temporary. In fact where she worked before, a lot of them had extended stay in certain locations and the guys would get together. They would rent an apartment. It wasn't an extended stay hotel. It wasn't a typical hotel. Everything points to the fact that these are residential apartments. They all know Harford has no way to enforce these. Once they go in. There is no way for Harford to come in and say, you can't do this anymore. Your population isn't transient. They can flip into being permanent. Another item is, there is nothing that says they can't become homes for families. In fact, some of the extended stay pictures that she looked at showed families living there. There are 2 or 3 bedrooms, the kids are going to be there and go to school. She did not attend the second community input meeting for this conversion of office building, taking out office buildings and putting in apartments. She did go over the detailed notes that were online. The term mixed use project was used. That this was morphing into a more mixed use project. That is not allowed. There is a big difference between mixed office, which she read the definition already, and mixed use center which is an entirely separate part of the Zoning Code. It is in the section Special Development. That special development mixed use is only allowed on property zoned B1, B2, B3, CI, GI, LI and R4. Not in Mixed Office. It cannot be used here. She asks that this be turned down because it violates the purpose, the objective of the MO, therefore it is against the Zoning Code and it cannot become a mixed use center because special development, which a mixed use center would be, is forbidden in MO.

Ms. Hardy said how far away from James Run is the first lodging house building.

Mr. Muddiman measured and said 375 feet.

Ms. Hardy said there are a lot of wetlands.

Mr. Muddiman said they aren't impacting any wetlands.

Ms. Hardy said where residents were coming from. They were supposed to be here because of the APG area. What happens in 5 years when people either move here permanently or they move back to New Jersey or where ever they come from to develop the BRAC situation. What happens to the lodging houses after that? Looking ahead down the road as far as people that will be relocating and get a house or move back.

Mr. Muddiman said he thinks there is always a sector of the population that moves around. They heard a couple of months ago about the first Phase of BRAC. There will be a BRAC 2 and a

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BRAC 3. All the folks that are involved in the BRAC process have made that statement. He is just quoting what they are saying. He thinks, BRAC as we all found out has been moving at a slower pace then was predicted. And they are still coming. If you do some research and find out who is buying the homes and who is renting the apartments in the area, you will find that it is still BRAC buyers. They are still moving.

Ms. Hardy said not lodging houses.

Mr. Muddiman said lodging house is defined in the Harford County Code. It is only permitted in the MO. So you are not going to find another lodging house because it is only permitted in this MO. They believe they have created a product around the definition that exists.

Ms. Hardy asked are the lodging houses furnished or unfurnished.

Mr. Muddiman said you can get them furnished.

Ms. Hardy said but they are not necessarily all furnished.

Mr. Muddiman said that is correct.

Ms. Hardy said is the rest of the James Run development going to stay the same or is that going to be changed also. In other words, she has the old plan.

Mr. Muddiman said this is the plan they are proposing today. The blue being the lodging house, the red being the retail and he will correct you. They are switching out retail for lodging house. Not the office. The office is in the purple.

Ms. Hardy said the office is in the purple. On her original plan the office is in the purple here.

Mr. Muddiman said you have a very old plan. That is not the approved development.

Ms. Hardy said 2007.

Mr. Muddiman said that is not the approved plan. The approved plan was approved in 2009. That is from the community input meeting.

Mr. Davenport said the original community input meeting. This replaces the 163,000 square feet of retail.

Mr. Muddiman said 136,000 sf of retail.

Mr. Hardy said oh, the retail.

Mr. Davenport said it doesn't have any impact on office, correct?

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Mr. Muddiman said it does not. This is the approved plan. It was approved in 2009. This is retail. That is an older version.

Ms. Hardy said this is lodging houses.

Mr. Muddiman said no. This stays consistent with your plan, the center. The retail and office switched over.

Ms. Hardy said on the 2007 plan. Is it still going to be over on the other end of the development?

Mr. Muddiman said that part of the plan, outside of Lot 6 remains.

Ms. Bruce said in looking at this. It appears that there was a major change for use of roughly a third of office buildings previously that was never subjected to a community input meeting. That is a pretty major change.

Mr. Muddiman said it was moved. This purple was over here.

Ms. Bruce said and this.

Mr. Muddiman said retail. The retail moved to the west side of the site. They looked at the plan.

Ms. Bruce said do you have the same amount of office space that was originally there.

Mr. Muddiman said yes, exactly.

Ms. Bruce said that wasn't shown on the online plan. Things were just moved around. It wasn't really expanded? It just flipped.

Mr. Muddiman said yes.

Ms. Bruce said it looks like there may be some more retail and parking lots then there was originally. One of the basic questions is what differentiates lodging house as a transient place from apartments which you can get a 3 month lease on apartments. What makes these not apartments because apartment are residential?

Mr. Davenport said the county is going to have to decide and evaluate the definition. You mentioned definitions from Webster's and everything else. That is arbitrary to them because they have to go by what is defined in the code. The code distinguishes that it has certain amenities, certain provisions, quality upgrades, attributes and amenities, levels of service, comfort. So they are requiring the architectural drawings and details to determine whether or not it does meet the requirements and the definition in the code for lodging. This is Lot 6. They have to remember

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they are looking at Lot 6. The other 8 or 9 lots are recorded and remain valid for retail and office space and lodging.

Ms. Bruce said clarification of the difference between a lodging house and apartment needs to be defined.

Mr. Davenport said it is defined. They need to determine whether they meet the definition of the code. They have asked for architectural drawings with details of the buildings so that they can compare it to the definition.

Ms. Bruce said when is a 3 bedroom apartment an apartment and when is a 3 bedroom lodging house a lodging house.

Mr. Davenport said when it meets the definition defined by the County Council adopted into regulations.

Ms. Hardy said another question. You said you flipped the ends. Why was that flipped like that? Why did you decide to go with lodging houses on that end?

Mr. Muddiman said at the time when they made that change back in 2009 it was to get the offices more visible from the interchange I-95.

Mr. Svitak said he has a question about the roadway system. Mr. Carney said that he was not going to be building all these buildings at the same time. Do you build the Creswell Road and that road system? Is that all going to be done?

Mr. Muddiman said he is referring to phasing the lodging house lots. Not the infrastructure.

Mr. Svitak said people are going to want to lodge there. They come in through Creswell. There will be an entrance to Creswell built?

Mr. Davenport said that is a requirement for Phase I.

Ms. Dallam said what is the square foot total for what of the retail you removed and the square footage of the lodging house.

Mr. Muddiman said the retail they are removing on Lot 6 is 136,000 square feet. The lodging house in total is just over 500,000 square feet.

Meeting adjourned 12:35 a.m.